

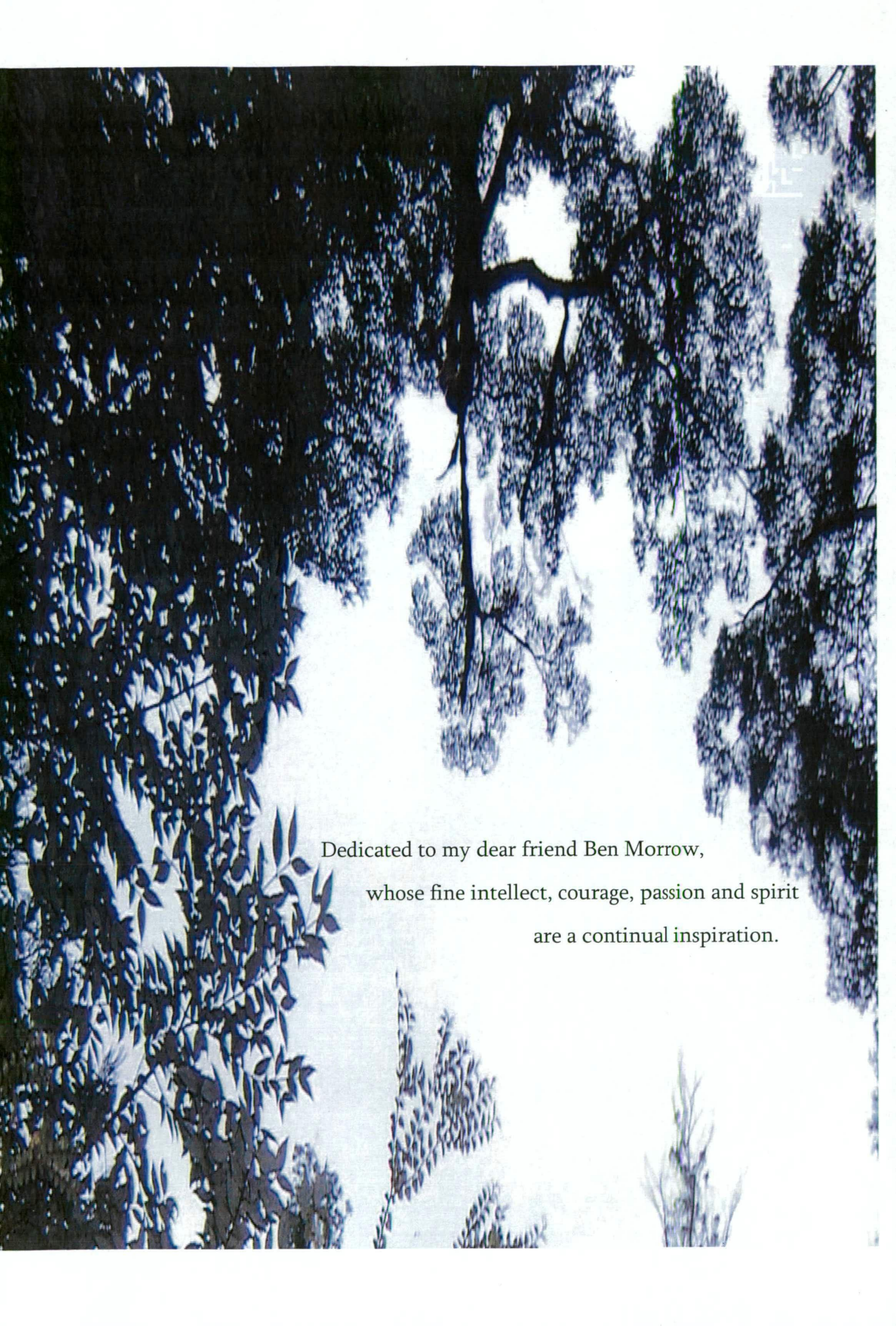


The Regional Forest Agreement and the use of publicly owned native forests in Tasmania: an investigation into key decision making processes, policies, outcomes and opportunities.

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A thesis submitted in partial fulfilment of the requirements for a Master of Environmental Management Degree at the School of Geography and Environmental Studies, University of Tasmania (November, 2007).



A low-angle photograph looking up at a large, mature tree. The tree's trunk and branches are silhouetted against a bright, overexposed sky. The leaves are dense and create a complex pattern of light and shadow. The overall tone is somewhat somber due to the high contrast and the dark colors of the foliage.

Dedicated to my dear friend Ben Morrow,  
whose fine intellect, courage, passion and spirit  
are a continual inspiration.

# DECLARATION

This thesis contains no material which has been accepted for the award of any other degree or diploma in any tertiary institution, and to the best of my knowledge and belief, contains no material previously published or written by another person, except where due reference is made in the text of the thesis.

A handwritten signature in black ink, appearing to read 'U. Majewski', written in a cursive style.

Ursula Majewski BA (Hon)

# ABSTRACT

The Tasmanian Regional Forest Agreement is a defining policy tool that governs the use and management of the publicly owned native forests positioned at the centre of one of the most protracted and conflict-ridden debates over natural resource management in Australia's history. Drawing on multi-disciplinary discourses and data, and employing a qualitative approach including interviews with prominent participants in the RFA process and implementation, this thesis examines key aspects of the conflict, positions Tasmania's forestry system within a national and global environmental policy context, and undertakes a critical analysis of the scientific, political and governance processes and outcomes generated by the Tasmanian Regional Forest Agreement. It finds that the management of Tasmania's publicly owned native forests is still a contested issue and that, despite some successes, the RFA has largely failed to provide the anticipated win-win solutions to Tasmania's forest conflict.

Key words: Tasmanian Regional Forest Agreement; environmental policy; environmental politics; natural resource management; forestry practices; conflict; environmental planning; environmentalism; native forests; conservation.



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# LIST OF ABBREVIATIONS

AFC – Australian Forestry Council  
ALP – Australian Labor Party  
ANZECC – Australian and New Zealand Conservation Council  
CAR – Comprehensive, Adequate and Representative  
CEG – Combined Environment Groups  
CFA – Community Forest Agreement  
CFMEU – Construction, Forestry, Mining and Energy Union  
CRA – Comprehensive Regional Assessment  
DIER – Department of Infrastructure, Energy and Resources  
EPBC – Environment Protection and Biodiversity Conservation (Act)  
ESD – Ecologically Sustainable Development  
FFPD – Forestry and Furnishing Products Division  
FFIC – Forests and Forest Industry Council  
FFIS – Forests and Forest Industry Strategy  
FIAT – Forest Industries Association of Australia  
FPA – Forest Practices Authority (formerly the FPB)  
FPB – Forest Practices Board (now the FPA)  
FPC – Forest Practices Code  
FPO – Forest Practices Officer  
FPP – Forest Practices Plan  
FPS – Forest Practices System  
FT – Forestry Tasmania  
GBE – Government Business Enterprise  
HEC – Hydro-Electric Commission  
IBRA – Interim Biogeographic Regionalisation for Australia  
IGAE – Intergovernmental Agreement on the Environment  
IUCN – International Union for the Conservation of Nature

JANIS - Joint ANZECC-MCFFA National Forest Policy Statement Implementation Committee

LPAC – Lake Pedder Action Committee

MCFFA – Ministerial Council on Forestry, Fisheries and Aquaculture

NAFI – National Association of Forest Industries

NFPS – National Forest Policy Statement

NGO – Non Governmental Organisation

NSESD – National Strategy for Ecologically Sustainable Development

NSW – New South Wales

PFRP – Private Forest Reserve Program

RAC – Resource Assessment Commission

RAG – Regional Advisory Group

RFA – Regional Forest Agreement

RMPS – Resource Management and Planning System

SWTAC – South West Tasmania Action Committee

TFC – Tasmanian Forestry Commission

TFGA – Tasmanian Farmers and Graziers Association

TTLC – Tasmanian Trades and Labour Council

TWWHA – Tasmanian Wilderness World Heritage Area

TWS – Tasmanian Wilderness Society, now The Wilderness Society

UNEP – United Nations Environment Program

UTG – United Tasmania Group

WCED – World Commission on Environment and Development

WWF – World Wildlife Fund



# CHAPTER ONE

## Introduction

Tasmania's native forests have been the centre of one of the most contested and lengthy natural resource management debates in Australia's history. In 1997, the Tasmanian Regional Forest Agreement (RFA) was signed. It formed part of a national program that was promoted as a concerted attempt to improve the management of Australia's forests and was constructed as a series of agreements between state and federal governments. The development of individual RFAs across the country was a necessarily complex process, involving numerous committees, the input of stakeholders from various sectors of the community, and a vast amount of consultation, research and documentation. In Tasmania, the RFA was presented as a 20 year plan based on credible scientific research, which would strategically deliver a number of conservation and sustainable management goals within the state's native forests, while simultaneously optimising Tasmania's economic development and alleviating the ongoing conflict over the use of native forests. However in 2007, exactly a decade after the RFA was negotiated, the increasingly divisive debate over the fate of the state's native forests can still be identified as one of the defining features of the political, social, ideological and economic landscape of the island.

This research project was developed in order to explore, identify and analyse the underlying aspects of this debate. The aim of the study is to critically assess the key decision making processes, outcomes and opportunities involved with or created by the Tasmanian RFA and to explore the broader implications of these on the current debate over the use of Tasmania's publicly owned native forests. The study has employed a qualitative approach and utilised a triangulation method in integrating multiple data sources, as detailed in Chapter Two.

The primary research objectives are:

- to provide an overview of relevant environmental policies and legislation on a state, national and global level which are relevant to the management of Tasmania's publicly owned native forests;
- to undertake an analysis of federal and state based political processes that have had a direct impact on Tasmania's native forests;
- to conduct an investigation into some of the processes that preceded the implementation of the Tasmanian RFA;
- to assess some of the outcomes and opportunities provided by the Tasmanian RFA in regards to the use of Tasmania's publicly owned native forests;
- to investigate the currently articulated debate over Tasmania's publicly owned native forests;
- to explore and propose some potential options for the future management of publicly owned native forests in Tasmania.

The thesis focuses on the use and management of Tasmania's publicly owned native forests, which are predominantly identified under the land use classification system as 'state forests'. There is an intriguing and similarly contested dialogue over the use and management of native forests located on private land in Tasmania, particularly in regards to the large-scale establishment of plantations in recent years. A comprehensive analysis of these developments lies outside the scope of this research project, although they are intrinsically linked to the Tasmanian RFA process and outcomes. The project examines many of the factors pertinent to both the RFA process and the Tasmanian forest debate as a whole, but, although it touches on some aspects of economically related issues, it is largely focused on environmentally relevant processes and outcomes, whether manifested in politics, policy, scientific enquiry or community concerns. As with the privately owned native forest issue, there is a wealth of literature and, indeed, robust discussion on the

economics of Tasmania's native forest management. Unfortunately, these too lie outside the limits of this study.

This project could be described as trans-disciplinary, in the sense that it aims to integrate a number of loosely connected cultural, political, scientific and ideological discourses into a coherent and complex discussion. However in Tasmania, where the vast areas of native forests and the many conflicting perspectives that inform the ways in which they are used are so deeply inscribed in the physical and cultural topography of the island, these apparently disparate discourses have become inextricably intertwined. The contested landscapes of Tasmania's native forests can be posited as sites of a complex debate that permeates every layer of the island's cultural, biological and political palimpsest. The native forests of Tasmania, and particularly those that are 'owned' by the Tasmanian people, can be most accurately described as a fiercely 'contested discursive terrain' (Hillier 2002:147). This research project is primarily concerned with exploring certain elements embedded within the multifaceted nature of this terrain; its premises, processes, dialogues and the ways in which various governance and policy processes, most notably the Tasmanian RFA, continue to shift and shape its topography.

Since its implementation in 1997, the Tasmanian RFA has generated a substantial amount of academic, political and community-based discussion, particularly in regards to its impacts on native forests. The contentious and public debate over the management and conservation of Tasmanian forests, a debate that reaches into all levels of the island's political, cultural and economic life, has reached a critical level. Recent developments, such as the Wielangta decision of December 2006, which ruled that logging contravening Commonwealth threatened species legislation was being conducted within a State Forest managed under the auspices of the Tasmanian RFA, have intensified the level of discussion. This research project will explore some of the reasons behind this ongoing and often divisive debate. It will assess the processes with which the RFA was developed and its

subsequent impacts on conservation and governance processes in Tasmania. An appraisal of the Tasmanian RFA, its impacts on environmental sustainability and the currently articulated debate over the fate of the state's publicly owned native forests can potentially inform future environmental management recommendations and strategic governance and policy formulation processes concerning native forests.

The thesis comprises seven chapters, including an introduction and a conclusion. A synopsis of Chapters Two to Six follows.

Chapter Two presents the research approach and design of this project. As this thesis was grounded in a wholly qualitative approach, some of the key elements of qualitative research are explored. The methods utilised throughout the project are outlined in two discrete parts. The first presents the data sources and collection methods. The second is concerned with the ways in which the data was analysed and integrated. The concept of academic rigour and validity is explored and applied to this research project.

Chapter Three undertakes an examination of national and global policy and politics in relation to the management of native forests. The concept of forest management as a politically contentious issue and one which has generated a considerable level of conflict on a multitude of levels is explored. A brief analysis of the sustainable development discourse, including international policy formulation is undertaken, along with Australia's responses to the globally articulated ESD agenda. An outline of national policy initiatives and legislation is presented, specifically those having a direct influence on native forest management. Finally, an overview of the RFA is provided within the framework articulated above.

Chapter Four undertakes an exploration of the discourses circulating about the policy, politics and management of native forests in an explicitly Tasmanian context. An overview

of the processes governing the state's forestry industry is presented. The chapter analyses Tasmania's unique global positioning in regards to the treatment of environmental issues, and conducts a critical examination of the influence of the environmental movement in the state since the 1970s, with a particular focus on the Lake Pedder and Franklin River campaigns as well as the political ramifications of the Labor-Green Accord. An exploration into key initiatives concerning native forests, most notably the Helsham Inquiry and the Salamanca Process, is undertaken as a precursor to an analysis of the RFA process.

Chapter Five is primarily concerned with the process, outcomes and implications of the Tasmanian RFA. It undertakes a critical, thematically grounded analysis of the RFA, particularly focusing on the scientific process undertaken prior to 1997, the consultative processes conducted with key stakeholders and the community, and the final stages of decision making within the process. An exploration of some of the key outcomes of the RFA is undertaken, with specific reference to environmental outcomes and the implications associated with these outcomes. The conflict over native forests is revisited, particularly the conflict generated as a direct result of the Tasmanian RFA.

Chapter Six presents an analysis of various elements surrounding the management and use of publicly owned native forests in 2007, a decade after the Tasmanian RFA was signed. A critical examination of the current Forest Practices System is developed, with particular reference to governance structures, accountability and the implementation of regulations and management-based recommendations. An exploration of the Tasmanian forest conflict is undertaken, as well as an examination of the ways in which the debate has been discursively framed. An outline of the ways in which the forest debate has been largely constructed in relation to the management of native forests is presented, and some potential options for the future management of Tasmania are proposed.



## CHAPTER TWO

### Research approach and design.

An exploration into the discourses circulating about the Tasmanian RFA and the ongoing debate over native forest management in Tasmania must be informed by a multi-disciplinary and diverse range of sources, ideologies, arguments and constructions of meaning in relation to the forests. A qualitative approach has been utilised to collect and analyse different data sets, and to construct a robust series of arguments that engage with a multiplicity of themes, values, challenges and continually shifting layers of meaning.

### A Qualitative Approach

This research project was informed by a qualitative approach, a mode of investigation described as “a situated activity that locates the observer in the world. It consists of a set of interpretive, material practices that make the world visible. These practices transform the world. They turn the world into a series of representations”. (Denzin and Lincoln 2005:3). Qualitative research is an interdisciplinary, complex and multi-faceted process that engages with a diversity of subject matters, concepts, philosophies and methods. It can be articulated as a “strategy that adds rigour, breadth, complexity, richness, and depth to any enquiry” (Denzin and Lincoln 2005:3), one that stands against the view that “a researcher can be a completely neutral collector of information about the social world. Instead, the researcher is seen as actively constructing knowledge about that world” (Mason 2002:52) and, as such, highlights the ways in which any process of inquiry is inevitably loaded with values, opinions and ideologies: “we also fold our own values and beliefs into research, and these can influence both what we study and how we interpret our research” (Bradshaw and Stratford 2005:68). These arguments bring ‘self’ to the forefront and position the qualitative researcher not as a “disembodied observer of the truth, [but as] a (re)presenter and creator of a particular and partial truth” (Mansvelt and Berg 2005:257).

## Methods

### Data sources and data collection

The data utilised within this thesis were gleaned from three primary sources: interviews with key stakeholders; a literature review; and media coverage. The range of material collected through the research process can be located within one of these distinct data sets.

#### Interviews with key stakeholders

A series of semi-structured audio-recorded interviews of varied duration were conducted with four key respondents. Interviews are an extremely effective method of data collection as they provide a means of gathering a diversity of perceptions, attitudes and experiences. They indicate levels of consensus or differences between individuals involved in a particular debate and also provide a means for the researcher to explore what is relevant or significant to each respondent (Dunn 2005). As Rubin and Rubin have noted, “qualitative interviewing is more than a set of skills, it is also a philosophy, an approach to learning. One element of this philosophy is that understanding is achieved by encouraging people to describe their world in their own terms” (1995:2). A semi-structured or focused interview format was identified as the most appropriate means of data collection, particularly in terms of acquiring a rich and textured understanding of the depth, complexity and multifaceted elements surrounding the management of Tasmania’s native forests; “understanding key informants in complex cultural situations usually requires semi-structured, in-depth interviewing” (Bradshaw and Stratford 2005:72). The qualitative semi-structured interviewing process possesses a number of core elements: the “interactional exchange of dialogue”; a reasonably informal tone; a “thematic, topic-centred, biographical or narrative approach”; and proceeds from the premise that knowledge is situated and contextual (Mason 2002:62-3).

The respondents involved in the interview process were limited to a small and targeted group, defined by their close involvement as key stakeholders within the process and/or implementation of both the Tasmanian RFA and, more broadly, by their influence in key decision making processes regarding the management of native forests within the state. Bradshaw and Stratford have argued that “in point of fact, it is feasible that conducting in-depth interviews with a small number of the ‘right’ people will provide significant insights into a research issue” (2005:72). The respondents were identified through a process that combined extensive background reading and informal consultation with academics and experts with an interest in forest management, and were chosen to represent a broad and diverse range of perspectives.

The interview process was designed to implement and maintain the high levels of ethical conduct associated with quality research at the University of Tasmania. The project applied for and received ethical approval from the Human Research Ethics Committee (Tasmania) Network which is constituted under the National Health & Medical Research Council. The Committees under the HREC (Tasmania) Network use the *National Statement on Ethical Conduct in Research Involving Humans* to inform their decisions. A number of key respondents were initially contacted via post or email with a covering letter asking them if they would like to be involved in the project. They were also supplied with an information sheet that broadly outlined the scope, background, aims and significance of the project, as well as providing a description of the interview procedure, which included a brief outline of data confidentiality and other ethical considerations. In the cases where respondents were willing to be interviewed and were not constrained by other commitments, interview times and places were scheduled. In some cases, the respondents were unable to be interviewed due to other commitments or time constraints. Each interview was audio recorded using a microphone and a mini-disc device. Interviews lasted between 40 minutes and three hours and were structured around seven open-ended questions (see Appendix A) which were posed to each respondent. In some of the interviews, further questions were

asked in response to particular themes raised by the respondents or for the purposes of clarification. Each respondent read and signed a 'Statement of Informed Consent' at the conclusion of the interview. Full verbatim transcripts of each interview were produced and sent to each respondent via email within a week of each respective interaction. The four key respondents who were interviewed remain anonymous, but can be described as a senior scientist working within the forestry industry, a high level campaigner from a large non-governmental organisation (NGO), a high ranking bureaucrat working within the forestry industry and an expert non-government scientist.

### Literature review

The literature review focused on source material relating to a number of broadly articulated themes, including but not limited to outcomes, criticisms and responses to the RFA process in Tasmania and on a national level; international environmental policy developments, particularly those connected with the sustainability discourse; Australian policies and politics associated with the management of native forests; environmental campaigns and activism in Tasmania; Tasmanian politics from the 1970s on; the forest conflict in Tasmania and nationally; Tasmanian environmental legislation, policy and management strategies; environmental philosophies and politics; the timber industry; woodchipping; and forestry planning and practices in Tasmania.

The literature review was an ongoing process throughout the duration of the project. This ensured that this section of the data set was up to date and that the relevance of the project remained embedded within a current and continuously evolving discourse. The data were accessed from several sources, including academic literature, conference proceedings, government publications, scientific reports, consultants' reports, parliamentary proceedings, reports and publications produced by non-governmental organisations, annual reports, legal documents, and a variety of written submissions from individuals and groups. The diversity of this data set has ensured that a broad, robust and often challenging array of

voices, arguments and perceptions has informed the directions and complex levels of meaning along which this project has travelled.

Much of the literature outlined above was accessed from electronic on-line databases and from the Geography and Environmental Studies Resource Centre, the Morris Miller, Science and Law libraries located at the Sandy Bay campus of the University of Tasmania. Many of the reports and documentation generated through and in response to the RFA process, as well as relevant parliamentary proceedings, were sourced from various governmental websites. Annual reports, legal proceedings, conference proceedings and other reports and submissions were accessed through numerous websites or from private bookshelves.

### Media coverage

Media coverage – including newspaper and magazine articles, press releases and transcripts of radio and television programs – forms an important data set within the context of this research project. On a local and national scale, it is evident that the process and outcomes connected with the RFA and subsequent amendments, as well as the politics, conflict and public displays of community protest that have characterised the native forest debate in Australia, have all been represented in many different ways through the media. The mass media, in particular, have been identified as a pivotal component in the construction of public opinion and political currency in regards to natural resource management issues (for example, see Bengston and Fan 1999).

Much of the media coverage is informed by a framework informed and largely constructed by conflict in and over forests. The media coverage utilised in this project was predominantly generated in Australia. Most of the coverage was accessed from a number of electronic online databases, current newspapers, news websites, the scrap books and files of friends and colleagues and governmental and environmental campaign websites.



## Data analysis and synthesis

In order to support academic rigour and accountability, this project utilised a method of data triangulation (Marshall and Rossman 1995). The multiplicity of elements that interconnect within the discursive framework of natural resource management policy, politics, processes and outcomes, requires a multi-layered, rich and textured understanding of the topic and engagement with an extensive variety of data. The three different kinds of data utilised within the scope of the project were also useful in corroborating features that emerged from the data sets, as well as illuminating points of conflict or contested perception.

The data obtained from the key respondent interviews were structured through a thematically based analysis. The verbatim transcripts of the interviews were subjected to a process of coding, which effectively “fragments the interviews into separate categories of themes, concepts, events, or stages. ...Once you find the individual concepts and themes, you have to put them together to build an integrated explanation” (Rubin and Rubin 1995:251). Coding is a process by which the data are disintegrated from their original contexts, examined, and then reassembled within a different thematically based framework, which compels the researcher to consider the data in different ways and glean new meanings that may have not been apparent (Flick 2002).

## Academic rigour

The author of this study has a background in forest activism. No attempt has been made to obscure this standpoint. A research practice that promotes qualities of academic rigour is essentially concerned with establishing ‘trustworthiness’ (Bradshaw and Stratford 2005; Mansvelt and Berg 2005). It is important for researchers to expand upon the context within which their project is positioned. This context can be articulated in terms of documentation, in the expression of the motivations, purpose and reasoning behind *why* a project has been developed, and in the process of a thorough review of relevant literature.

As Bradshaw and Stratford have emphasised, the extensive development of a context “permits us to establish the plausibility of our research by demonstrating that we embarked on our work adequately informed by relevant literatures and for intellectually and ethically justifiable reasons” (2005:74). As detailed earlier in this chapter, this research project contains embedded strategies within its framework to ensure academic rigour and robustness throughout the process. These include: the use of data triangulation and diverse data sets; the gaining of ethics approval for the project; informing interview respondents of the scope, aims and broad outline of the project through the provision of information sheets; ensuring that verbatim transcripts of interviews were provided for each respondent; the utilisation of ‘Statements of Informed Consent’ in regards to the interview process; and ensuring the anonymity of key respondents when requested.

## CHAPTER THREE

### The politics of Australia's native forests: conflict, policy directions and environmental sustainability in the 1990s.

The management of Australia's native forests has been a process fraught with discord and controversy for decades. Some of the most fiery natural resource management disputes in Australia's history have been directly associated with forestry operations, with over 70 major inquiries into the industry being carried out since World War II (McDonald 1999; Mobbs 2003). The increasingly divisive and often bitter debate over the fate of the nation's publicly owned native forests has significantly impacted upon all levels of Australia's political, economical, environmental and social landscapes. This multi-layered dispute has been enacted in a diversity of settings; from confrontations between logging contractors and protestors engaged in direct stop work actions within old growth forests earmarked for harvesting to heated political power plays in the corridors and offices of Parliament House in Canberra.

In recent years, the issue of native forest use has become an increasingly potent political football, one that has caused severe ruptures between different levels of government (for examples, see Herath 2002; Hollander 2004; Lane 1999; Lohrey 2002, which provide details of a number of intergovernmental disputes from the 1970s) as well as instigating intense internal division within the federal cabinet, a situation which will be examined in more detail later in the chapter. This lengthy history of institutional conflict can be explained, in part, by the "unusually dominating position of public institutions in the forest sector" (Dargavel 1998:25). Politicians and policy makers are compelled to not only "respond to the multi-functional requirements... of the international and local economics of the forestry industry and to increasing public pressures to retain a biologically diverse forested landscape of both culturally intrinsic and instrumental value" (Hillier 2003:252-3), but to

navigate a politically expedient path through an intricate and shifting minefield comprised of union pressure, industry and corporate alliances, international commitments to biodiversity conservation, public opinion in marginal electorates, continual pressure from environmentally motivated NGOs and internal party politics. It is significant that Australia's native forests have assumed centre stage in three of the last five federal elections, including that current at the time of writing, with the controversial issue of Gunns Ltd.'s proposed pulp mill in Tasmania continuing to have a profound influence on the mainland political consciousness (ABC 2007; Denholm 2007a; Wright 2007).

The primary causes that lie at the heart of the ongoing conflict have been articulated in several ways, with some commentators arguing that the dispute can be reduced to a fundamental disagreement over the balance between conservation and exploitation (for example, McDonald 1999:295), while others have outlined the dispute using an explicitly ideological framework, one which is largely concerned with value systems. One dominant construction that has enjoyed a wide and influential circulation is the 'environment vs jobs' argument, that posits the cause of the dispute as a basic and inherently reductive ideological polarity between 'environmentalists' and 'workers'. As Brown has observed, "economic development and environmental protection have been typically characterised as competing agenda" within Australia (2001:13). Conversely, a recent study of the Australian forestry industry identifies three critical factors at the core of the forest conflict as being: the failure of plantation processors to demand policy reform, the massive profit performance of the export-woodchip industry and the forestry union's unusual positioning in regards to policy and politics (Ajani 2007a:2-4).

Since the 1980s, there have been a variety of governmental responses to these intense disputes over Australia's native forests, and more specifically, over *publicly owned* native forests. For over a century, state governments have held primary responsibility for the use and management of natural resources. However, through the 1980s the federal government

came under increased public pressure to intervene in state decisions regarding key environmental issues, such as the proposed damming of the Franklin River in Tasmania and proposed roading through the Daintree rainforest in Queensland (Hollander 2004; Lane 1999). Over the course of this decade, the Commonwealth utilised legislation contained within the *Environment Protection (Impact of Proposals) Act* 1974, the *Australian Heritage Commission Act* 1975, the *Export Control Act* 1982 and the *World Heritage Properties Conservation Act* 1983 to conduct a number of interventions into contentious natural resource management decisions made by particular state governments (McDonald 1999). However, by the end of the 1980s it had become apparent to the federal government that not only was this program of intervention failing to provide solutions to both the forest debate and to sustained intergovernmental conflict, but was also a potentially hazardous exercise when situated within a broader political context. Before examining the policy shifts that partially occurred as a response to this realisation on a national level, it is important to outline the global environmental policy context within which Australia was positioned during the 1980s and early 1990s.

The term 'sustainable development' and the complex and often contested discourse that circulates about it has been unarguably the most powerful influence on environmental policy and politics over the last two decades (Dryzek 1997; Jacobs 1999). The trajectory of the international sustainable development model, from the World Conservation Strategy of 1980 (IUCN *et al.* 1980) to the version articulated in the Brundtland Report (WCED) in 1987 through to the 1992 'Earth Summit' (United Nations Conference on Environment and Development) and its subsequent declarations, such as *Agenda 21*, has had an unprecedented impact on both the rhetoric and practice of institutionalised environmental policy on a regional, national and global level. The publication and subsequent mass global distribution of *Our Common Future* (WCED 1987) by the Brundtland Commission propelled the discourse into the global arena and articulated the most commonly utilised 'definition' of sustainable development: "Humanity has the ability to make development



sustainable – to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs” (WCED 1987:8).

Jacobs (1999:26-7), in his analysis of sustainable development, has identified six ‘core values’ embedded within the discourse; environment-economy integration, futurity, environmental protection, equity, quality of life and participation. Other commentators, most notably O’Riordan (1996), have conceptually constructed a sustainability ‘transition’, describing this uncharted and exceedingly difficult process as “a profoundly radical combination of ecological imperative, social redistribution and political empowerment which will involve global management regimes, the limitation of national sovereignty and greatly enhanced local involvement and self-reliance” (O’Riordan 1996:140). The literature addressing the concept of sustainable development is both vast and highly intricate, and a number of pertinent critiques and analyses have been generated (a selection from this diverse body of literature would include Baker 2006; Barber 2003; Carley and Christie 1992; Carley and Spapens 1998; Cohen and Murphy 2001; Dovers 1999; Doyle 1998; Dryzek 1997; Jacobs 1999; Lélé 1991; O’Riordan 1996; Princen 2003).

A strategy for the global implementation of sustainable development was jointly issued by the United Nations Environment Program (UNEP), the International Union for the Conservation of Nature (IUCN) and the World Wildlife Fund (WWF) in 1991 (IUCN *et al.* 1991), followed in 1992 by the ‘Earth Summit’, which was held in Rio de Janeiro and attended by over 170 national government delegations. The ‘Earth Summit’ could be described as a landmark event in the history of environmental policy, effectively resulting in significant international commitments and important funding deals. All delegations publicly approved the concept of ‘sustainable development’ (however they may have interpreted it), and endorsed *Agenda 21*, a more detailed development of the Brundtland Report. It proposed that “global environmental problems had arisen mainly as a result of the profligate consumption and production of the richer countries” (Dryzek 1997:127) and

committed each signatory to generate feasible policy-based strategies for sustainable development. In many ways, the Rio conference “redefined the terrain” of natural resource management and policy in regards to forests (McManus 2002:853). Within a forest context, there were three significant outcomes that resulted from the ‘Earth Summit’. The Australian delegation signed both the *Convention of Biological Diversity* and the *Framework Convention on Climate Change*. In addition, an effort was made to negotiate a global forests convention. However, this was unsuccessful and a voluntary and non-legally binding *Global Statement of Principles on Forests* was endorsed instead, which emphasised the need to balance the use of forests as a production resource with the importance of conserving the forests for their environmental and social values (UNCED 1992).

Australia’s response to these global developments in environmental policy was fairly rapid. From the late 1980s to the early 1990s, a number of processes and policy directions were instigated that had a direct bearing on the management of the nation’s native forests, the most significant of these being the Ecologically Sustainable Development program (ESD), the 1992 *Intergovernmental Agreement on the Environment* (CoA 1992a) and the *National Forest Policy Statement* (CoA 1992b). It is necessary to briefly examine these institutional responses to both the national conflict over native forests and to international shifts in environmental policy, as they provide the policy bedrock upon which the RFA process was developed.

The Australian ESD process was instigated in the late 1980s as a direct response to the global environmental management agenda. The key principles embedded within the Commonwealth’s ESD process (and utilised in sustainability programs world wide) have been identified as: intergenerational equity, intra-generational equity and the conservation of biodiversity (McDonald 1999:296). In 1989, under the auspices of the *Resource Assessment Commission Act* 1989, Labor Prime Minister Bob Hawke directed the Resource Assessment Commission (RAC) to undertake an inquiry into the Australian forestry

industry (see Bartlett 1999 for a more detailed outline). The inquiry conducted a comprehensive analysis of the industry, forest management processes and national timber resources, and provided a baseline for Australia's ESD process in relation to native forests as articulated in *Forest and Timber Inquiry Final Report* (RAC 1992). The ESD program comprised a number of key elements: a Commonwealth discussion paper that was released in 1990; the formation of nine sector specific working groups, made up of representatives from key stakeholder groups; a number of reports generated through these working groups; a national draft strategy developed through the integration of these reports; and finally, a *National Strategy for Ecologically Sustainable Development* (NSES D) which was released by the federal government in 1992 (Dovers 1999). The working groups program consisted of a range of roundtable forums conducted over a two year period. In the case of the forest sector's working group, and in contrast to the other sectoral groups, environmentally based NGOs refused to participate, arguing that there was an inherent industry bias within the process towards continued high volume wood production processes within native forests (McDonald 1999). The draft report of the ESD Working Group on Ecologically Sustainable Forest Use (CoA 1991b) emphasised the conflict over the management of native forests, attributing much of this to the ad hoc and incremental nature of previous decision making structures, and formulated a number of recommendations that largely centred around state-federal joint assessments and identified regionally-based strategies positioned around ESD objectives as the way forward for Australia's forests. The final report (CoA 1991a) recognised that decisions regarding forest use must consider all forest values, and highlighted the concept that "decisions which flow out of a scientific assessment of forest values and a wide public consultative process, and which take all interests into account, are more likely to be durable and less open to on-going conflict and the unpredictability of possible subsequent reconsiderations" (Bartlett 1999:333).

The 1992 *Intergovernmental Agreement on the Environment* (IGAE) was a policy initiative that has been identified as a "central tenet in subsequent environmental decision-making"

(Tribe 1998:137) and which effectively outlined the future responsibilities and roles of the different levels of government in regards to their particular powers over environmental matters. Contemporary international policy developments were directly referenced within the framework of the IGAE, as evidenced by the endorsement of the 'precautionary principle', intergenerational equity, ecological integrity and biodiversity conservation, all of which were promoted within the Agreement's principles. One of the more remarkable features of the Agreement concerns the delegation of responsibility over natural resource management decisions, with the Commonwealth's role increasingly limited to "those issues that involve international commitments, national estate values and trans-border problems" (McDonald 1999:298). Lane has argued that the IGAE "fundamentally redefined the circumstances in which the Commonwealth may be involved in natural resource policy decisions" (1999:145) and attributes this to the increased awareness by the Commonwealth of the political cost of the environmentally based intervention strategies discussed earlier. When examined in relation to both the ESD working group reports and the *National Forest Policy Statement* (NFPS), which was endorsed by all the states in 1992 except for Tasmania (which eventually signed off on the Agreement in 1995), a distinct pattern begins to emerge. This could typically be perceived as a concerted series of moves towards the strategy of placing majority decision-making power over the future use of native forests in the hands of the state governments, thereby reducing the previously inherent levels of intergovernmental conflict over environmental issues.

The NFPS was formulated by the Australian Forestry Council (AFC) and the Australia and New Zealand Environment and Conservation Council (ANZECC). It incorporated a significant level of input from other key stakeholder groups (Mobbs 2003) and was perceived as "a major step forward in developing rational forest policies and processes that would encourage the sustainable management of Australia's forests" (Bartlett 1999:335). The broad aims articulated in the NFPS circulated around the concept that "the public and private native forest estate will be managed for the broad range of commercial and non-

commercial benefits and values it can provide for present and future generations” (CoA 1992b:6). The policy implemented environmental commitments endorsed at the Earth Summit in Rio de Janeiro (Tribe 1998), and formulated three primary objectives for Australia’s native forest estate: to maintain an extensive and permanent native forest estate; to manage this estate in an ecologically sustainable way in order to maintain forest-based values for future generations; and to promote internationally competitive and sustainable industries that utilise the forest resource efficiently and which capitalise as much as possible on value-adding opportunities (CoA 1992b). Dargavel’s analysis of the NFPS (1998) has identified the most important components of the policy as being: that it will be developed within regionally based, rather than state or nationally defined, geographic boundaries; that a comprehensive, adequate and representative reserve system will be set up within each region; that the state and federal governments, along with their relevant departments and agencies, will operate in an integrated manner and will cooperate with each other in regards to decision-making processes; and that legally binding agreements regarding the management of forests will be drawn up for each region. Tribe (1998) also highlights the ‘carrot’ and ‘stick’ elements written into the NFPS, and that were included in order to “encourage state governments to be more actively responsible for forest areas” (137).

The NFPS and the IGAE were implemented at a time of “heightened political interest around environmental issues” (Hollander 2004:8). However, during the early 1990s, the “RFA process languished with little government action to further the approach” (Mobbs 2003:94) until the end of 1994, when a series of controversial events occurred within the federal Labor Party that effectively propelled the native forest issue back into the political limelight. The controversy was centred around the annual issuing of woodchip licenses by the federal government as legislated under the *Export Control Act* of 1982. During 1994, Senator John Faulkner, the Federal Minister for the Environment, asked a number of conservation groups to develop a site list of high conservation value native forests that were



due to be harvested within the year. Acting on this advice, Senator Faulkner produced a list of over 1200 logging coupes that he identified as worthy of some form of protection (Yallop 1995). On 20 December 1994, David Beddall, the Federal Minister for Resources, ignored the advice of senior Labor ministers including Senator Faulkner, and the Prime Minister, Paul Keating, and authorised a significant expansion of native forest woodchip exports. Senator Faulkner reacted strongly to this announcement, publicly accusing Beddall of disregarding the Cabinet's decisions in connection with the conservation of old growth forests (Boreham and Darby 1994; Jurman and Woodford 1994; McLean 1994). This sparked off a large and loudly debated split within the Labor ranks, to the point where the Caucus was in open revolt and Senator Devereux announced his resignation from the ALP after 30 years of membership (Gordon 1994; Gordon *et al.* 1994; Jurman and Wright 1994). This dispute, and the chain of politically contentious events that followed, has been identified as "a defining moment for forest policy in Australia" (Lane 1999:147). On 22 December, the Prime Minister, in an attempt to address the rapidly escalating conflict, made a critically significant statement on the issue of woodchip exports that effectively threatened to put an end to native forest woodchip exports in all areas that failed to implement a RFA by the year 2000 (Keating 1994). This statement, which was dubbed 'Keating's grenade' by the media (Riley and Jurman 1994), signified a major shift in environmental policy implementation.

Over the summer of 1994-5, the issue of native forest woodchipping was again in the public eye, with environmental groups organising major protest events across the country (Humphries 1995; Hutchings 1995). The Labor Party responded to this public show of outrage and to powerful criticisms and legal manoeuvres from 'green' lobby groups by considering the recall of over 500 export licenses that had been endorsed by Beddall (Hutchings 1995). On 27 January 1995, Keating made a second media statement concerning woodchip exports, announcing that the government had identified over 500 high conservation value native forest coupes which the federal Labor government would

endeavour to protect (Keating 1995b). The logging industry responded with an unprecedented personal attack upon the Prime Minister. The Forestry and Furnishing Products Division (FFPD) of the CFMEU and the Forest Protection Society (which formed part of the National Association of Forest Industries [NAFI]) organised a week long blockade of Parliament House, with hundreds of log trucks and forestry workers travelling to Canberra to protest (Greenlees 1995). The management of Australia's native forests had emerged once more as an increasingly potent and contentious political issue.

The escalating conflict "generated the political commitment necessary to kick start the process" (Hollander 2004:9). The development of a RFA process received bipartisan support as the politically unsustainable nature of the debate became increasingly clear (Bartlett 1999). The ALP responded to this volatile and electorally dangerous situation by hastening the implementation of RFAs across the country. The federal government established the Joint ANZECC-MCFFA National Forest Policy Statement Implementation Sub-committee (JANIS), whose primary role was to develop quantitative and qualitative guidelines and criteria for the creation of a Comprehensive, Adequate and Representative (CAR) reserve system. This resulted in the release of draft "Broad Criteria for the Establishment of a Comprehensive, Adequate and Representative Forest Reserve System" for public comment and institutional negotiation processes in July, 1995, with a final copy being published in 1998 (JANIS 1997). The requirements identified by the JANIS criteria were primarily concerned with biodiversity, wilderness and old growth conservation, and most notably included the following reservation goals: 15 percent of pre-1750 forest ecosystems; 60 percent (or more if rare or critically depleted) of existing old growth forest; and 90 percent of high quality wilderness (JANIS 1997).

The key function of the RFA process was articulated by the federal government in 1995 as "a mechanism whereby the Commonwealth and a State government can reach agreement on the long-term management and use of forests in a particular region" (Executive

Summary, CoA 1995). The central objectives of the process were identified as: the reduction in “uncertainty, duplication and fragmentation in government decision-making”; the protection of environmental, heritage and cultural values; and “greater certainty” for industry with the provision of secure access to forest resources. A clear commitment to public participation was also articulated (Executive Summary, CoA 1995). The scope and intent of the RFA process was, as some commentators have noted, “internationally remarkable” and certainly unprecedented within the Australian natural resource management sector; due largely to “the several years of effort and investigation and policy discussion and hundreds of millions of dollars invested” (Mobbs 2003:90-1).

The strategy of addressing forest management on a regional level was justified by a number of factors, including the fact that specific regions are ecologically variable, containing different forest types and so forth, as well as the increased social and political feasibility of conducting assessments, particularly in terms of public consultation processes (Dargavel 1998). However, the actual identification of the regions – the drawing of lines on a map – did present some difficulties due to significant variations between different biogeographic, political and economic regions, all of which obviously play crucial roles within different elements of forest management. Tasmania can be utilised as an excellent example of this problematic issue. Although it was eventually – and some would argue, surprisingly – delineated as a single region, it “is divided into seven biogeographical regions, five labour markets and four economic regions” (Dargavel 1998:27). Nationally, twelve regions were eventually marked out (although it is important to note that these altered over time due to mergers of regions, failures to sign agreements and so forth): Tasmania, West Victoria, Central Highlands, North East Victoria, Gippsland, East Gippsland, Eden, Southern New South Wales (NSW), Lower North East NSW, Upper North East NSW, South East Queensland and South West Western Australia.

The RFA process comprised four primary stages. Firstly, an intergovernmental scoping agreement was negotiated for each region that outlined a broad collection of parameters within which the RFA process would evolve in that particular area. The framework constructed by these agreements contained a number of crucial themes, such as potential forest use, key aims and objectives, the need for additional data collection and assessment, types of information collection and the relevant accreditation for this process, the development of timeframes, funding arrangements, administrative issues, and strategies for key stakeholder consultation processes (CoA 1995). Secondly, a Comprehensive Regional Assessment (CRA) of forest values was conducted in each area, which “involved both Governments, in collaboration with various experts, in a wide range of projects designed to provide the information necessary for analysis and identification of issues and possible options for a regional forest agreement” (CoA/TasGovt 1996:2). The CRAs focused on environmental, economic, social and heritage values associated with forests, as well as addressing the views of industry and the community. Two ‘streams’ of assessment were identified, one concerning the governments’ commitments and obligations regarding the environment and heritage, and one “aimed at ensuring that the social and economic objectives of forest use” were achieved (Executive summary, CoA 1995). Thirdly, the data and information gleaned during the CRA process was ‘integrated’ in each region by a Joint Steering Committee, which was made up of representatives from state and federal governments as well as a number of key stakeholders, and a paper was released for public comment, which outlined a plethora of options regarding potential forest use, conservation, land allocation and management strategies. And finally, a draft RFA was developed by the state and federal governments and selected key stakeholders, and was subject to a period of negotiation and discussion before a final agreement was signed.

## CHAPTER FOUR

### Forestry, environmentalism and politics: the Tasmanian context.

Tasmania is globally renowned for its outstanding examples of native forest, biological diversity and vast tracts of wilderness. One of the planet's last great temperate wilderness areas is situated on the island, and is partially protected by the Tasmanian Wilderness World Heritage Area (TWWHA). Australia's largest rainforest – the Tarkine – is located in the Tasmania's north-west and the world's tallest hardwood trees, *Eucalyptus regnans*, grow to over 90 metres in the Styx Valley, which is positioned in the south-west, adjacent to the TWWHA. Tasmania's unique forested landscapes have been the subject of many significant literary and visual art works. A noted Tasmanian poet articulates these forests as:

a celebration of the pure, marvellous fact of *is*. It is in the canopy, where a carillon of birdsong trills flawless, intricate movements of the bush's symphony for infinite voice ... [It is in] the abstract masterpieces of bark-sap-insect patterns on tree trunks, 'Self Portrait' by *E. viminalis*, and *E. viminalis* has a palette of such delicate mauve, smoke, pink, green-tinge, indigo, rust, cream, olive and lemon that it defies reproduction. But even this, I know, is a façade; mere surface show for a whole hidden world within a world, one of utter marvellous complexity (Hay 2007:xiv).

The ecological values inherent in the state's natural landscapes have been internationally recognised, with Tasmania being identified as "one of Australia's hotspots of botanical diversity and endemism at the large regional scale" and noted for "its highly diverse and significant vegetation" (Balmer *et al.* 2004:5).

The small island of Tasmania occupies a unique position within the discourses of environmental thought, policy and politics, both on a national and global level. The characteristically divisive debates that have developed in response to the use of natural resources in Tasmania, and particularly in relation to the management of the state's publicly owned native forests, resonate publicly across the waters of Bass Strait and far beyond. The contentious politics of native forest use in Australia has already been partially detailed in the previous chapter. However, it could be argued that the passion and diversity

of responses to environmental issues in Tasmania sets these debates in a peculiarly sharp and vivid relief not seen elsewhere: “though a small state in both size and population, when it comes to environmentalism Tasmania has long been the canary in the mine” (Lohrey 2002:ix). Tasmania’s natural environment has been a key issue at a number of federal elections and, with the now nationally contentious debate over Gunns’ proposed pulp mill in the Tamar Valley, has already played a crucial role in the federal campaign being waged at the time of writing. It is interesting to note that the observation Pybus articulated almost two decades ago, that “the fall-out from Tasmanian environmental battles – Lake Pedder, the Franklin Dam, Farmhouse Creek, Wesley Vale – has reverberated around the nation, keeping Tasmanian land-use issues squarely in the forefront of national politics” (1990:11) still has a particular currency today. Over the last forty years, this debate has effectively permeated all layers of the island’s political, social, economic and geographical landscapes. Some commentators (for example, Flanagan 1990a; Wescombe 1990) have argued that this saturation is so pervasive that “Tasmania is the *only* political system in the world which is *primarily* focussed upon issues of the environment” and hence “the environment movement is more visible, more prominent, than anywhere else in the world, and it is impossible for Tasmanians not to have an opinion, an *evaluation*, of the environment movement” (Hay 1991-1992:64). The integral connection between Tasmanian politics and the management of the natural environment is a recurring theme. Crowley has posited the political topography of Tasmania as unique and often incomprehensible when observed from an outsider’s position, explaining that “this is because Tasmania’s politics is a politics of place. Firstly, it is a peripheral island economy that has historically relied upon natural resource exploitation. Secondly, it is the management of this economy that all but replaces political doctrine and aspirations” (2000a:2).

This chapter will conduct an exploration into the discourses which circulate around the use and management of Tasmania’s publicly owned native forests in order to provide a context to the policy directions that emerged in the 1990s regarding the nation’s native forests, and

which continue to develop, generating intense discussion at all levels of the community. The discussion will be necessarily diverse, ranging from bureaucratic and legislative frameworks to the influence of the environmental movement in Tasmania and the role of the Greens within parliament. An outline of state and federally driven policy directions designed to address the management of native forests will be given as a precursor to a detailed analysis of the Tasmanian RFA, its processes, outcomes and implications, which will be explored in the following chapters.

Tasmania's native forests are organised under different overlays on land tenure, which are managed by a number of organisations, government bodies or individuals, and which are regulated under a diverse range of legislation. Tasmania's 1.5 million hectares of publicly owned state forests (comprising 22 percent of the island's land mass and 39 percent of its forests) are managed by Forestry Tasmania, which operates within the state system as a Government Business Enterprise (GBE) under the auspices of the *Government Business Enterprises Act 1995*. Forestry Tasmania has articulated its primary corporate objectives as: improving profit performance and shareholder returns; developing a globally competitive forest resource that is managed sustainably and which meets statutory environmental standards; expanding their customer base in domestic and international markets; and enjoying the broad support of the Tasmanian community (FT 2006:5). Forestry Tasmania operates in accordance with a number of legislative requirements, including the *Forestry Act 1920*, the *Trade Practices Act 1974* and the *Forest Practices Act 1985*.

All forestry operations in Tasmania – which include the harvesting and regenerating of native forest, the harvesting and establishing of plantations, and the construction of roads or quarries (FPA 2005-2006) – are regulated through the forest practices system, which is legislated under the *Forest Practices Act* and is administered by an independent statutory body, the Forest Practices Authority (FPA), formerly the Forest Practices Board (FPB) (FPB 2000), as well as by local governments (if operations occur on private land which is not

classified as a Private Timber Reserve), or is situated in an area that is subject to the requirements of a local planning scheme). The Tasmanian forest practices system aims to “achieve sustainable management of Crown and private forests with due care for the environment in a way that is as far as possible self-funding” (FPA 2005-2006:4). It is primarily “based on a coregulatory approach, involving self-management by the forest industry” (LGFCC 2006:14), and emphasises principles of self-management, delegated and decentralised approvals, cooperation amongst different stakeholders, planning, training and education (FPA 2005-2006). Forest Practices Officers (FPOs) effectively act as the on-the-ground regulators of the forest practices system. They are predominantly “employed by forest companies, FT, Private Forests Tasmania, and as consultants to plan, supervise and monitor forest practices” (FPA 2005-2006:48). The primary regulatory tool utilised within the Tasmanian forest practices system is the *Forest Practices Code* (FPC), a legally enforceable document that “provides a practical set of guidelines and standards for the protection of environmental values during forest operations, in particular: soils, water quality and flow, geomorphology, flora, fauna, genetic resources, visual landscape and cultural heritage” (FPB 2000:2). The FPC is utilised by FPOs in the planning, development, certification and monitoring of Forest Practices Plans (FPPs). An FPP is essentially a site-specific document governing on-the-ground forestry procedures that is mandatory for almost all forestry operations in the state, and which includes a detailed site map along with various prescriptions relating to roading, harvesting and reforestation processes as well as outlining specific measures regarding the conservation of natural and cultural values that must be implemented in accordance with the FPC.

Tasmania’s publicly owned native forests have occupied a key political position at the centre of ongoing national debates over natural resource use for decades. This can be attributed in part to the island’s diverse history of environmentally-based campaigns. The potency of environmentally motivated politics both in and outside of parliament has been such that over the course of many years Tasmania has “earned a reputation for being in the



international vanguard of green politics” (Hay and Eckersley 1993:88). Prior to the ecologically driven emergence of the Greens, Tasmanian politics was perceived by some analysts as “interest-based, accommodationist and bi-partisan rather than majoritarian” (Crowley 2000b:57) or more explicitly as “ideologically moribund since the vision of a future based on mega-industry and underwritten by cheap hydro-electricity had won complete and unchallenged acceptance ... politics in Tasmania was reduced to mere administration” (Wescombe 1990:170). The impact that the political arm of the Tasmanian environmental movement, the Greens, had on this political landscape was extraordinarily powerful. In order to have an understanding of the depth of this significance and its subsequent influence on many elements of the discourse concerning the management of native forests in Tasmania, it is necessary to briefly chart the ways in which the green movement has influenced the processes and outcomes associated with governmental institutions, public opinion and policy making on both a state and federal level. The history of the Tasmanian environmental movement spans many decades and is far too eventful and inherently complex to explore in any great detail here. However, it is possible to identify three key stages within this narrative of contestation: the flooding of Lake Pedder in the early 1970s, the Franklin River campaign of the 1980s, and the Tasmanian Labor-Green Accord of 1989-1991. This three-stage categorisation can assist an analysis of the debate over environmental policy and politics that in turn informs the process, outcomes and broader implications of a natural resource management initiative like the Tasmanian RFA.

The Tasmanian environmental movement really came to prominence (some have argued more emphatically that “green politics was born in Tasmania”; Crowley 1999:409) in the contentious series of events that surrounded the Hydro-Electric Commission’s (HEC) flooding of Lake Pedder in 1972. Pedder was an isolated and ecologically significant alpine lake framed by a unique beach of quartzite sands, which has attracted a variety of descriptions (for some examples, see Bonyhady 1993; Kiernan 1990), and has been interpreted symbolically as “a vision of what Tasmania could be: free, unfettered, a

celebration of intrinsic beauty” (Flanagan 1990b:196), as well as a place of “unique, intoxicating beauty ... primeval, enriching mystique [and] haunting, bedazzling spirit” whose subsequent flooding was “one of the world’s great ecological tragedies” (Crowley 1999:409,410).

The activists involved in the Lake Pedder Action Committee (LPAC) who campaigned against the HEC and subsequently failed in their objective to save the lake have been identified as crucially important to environmentalism in Tasmania, not only through developing “one of the earliest post-war critiques of large-scale industrialisation” (Lohrey 2002:12) but also for setting in train the process that led to the establishment of the Greens as a party, in the first instance, the United Tasmania Group (UTG), “the vehicle through which environmental values were first presented to the Tasmanian electorate and [by mobilising] supporters around those values” (Walker 1989:169). Over the next seven years, the UTG contested numerous state and federal elections without winning a seat and eventually collapsed in the late 1970s, largely due to the movement of core individuals within its membership to newly formed groups such as the South West Tasmania Action Committee (SWTAC) and the Tasmanian Wilderness Society (TWS), an operational shift by key players who decided to opt for a direct action strategy (Walker 1987). However, the formation of the UTG was an event of considerable importance on a local, national and global scale, as this group provided a springboard from which some of the more influential Tasmanian environmentalists (a prime example would be Senator Bob Brown) emerged and, as noted earlier, was effectively “the first political party based on an environmental platform to contest elections within any parliamentary system in the world” (Walker 1989).

The contentious campaign to save the Franklin River from being dammed by the HEC has been identified as the “most famous wilderness struggle” (Doyle 2000:130) and positioned as “one of the defining moments in Australian political history. It was the moment when

ecological politics entered the mainstream” (Lohrey 2002:16). It was the first high profile instance of the Commonwealth seeking to intervene in state government affairs in relation to a land management issue, setting in motion the previously noted trajectory of intergovernmental conflict within Australia (in this instance the state successfully defied the Commonwealth’s attempts to save the lake). The scale and spread of the campaign to save the Franklin River was unprecedented within Australia. Some commentators have placed this in an international context, positing the controversy “as the world’s first globally-scoped preservationist political issue” (Chen and Hay 2004:1113).

The Franklin River blockade (1982-1983) was one of the first mass applications of Gandhian techniques of non-violent direct action in Australia, with over 1200 individuals arrested over the course of a few months. The blockade formed part of a multi-layered campaign, predominantly managed by the TWS, which captured the national imagination to an unparalleled degree for an environmental issue. The Franklin campaign operated on a compelling symbolic level. The physical landscape and its encroaching modification was transformed into much more than a wild river located in the Tasmanian wilderness:

it is the epitome of all the lost forests, all the submerged lakes, all the tamed rivers, all the extinguished species. It is threatened by the same mindless beast that has eaten our past, is eating our present, and threatens to eat our future (McQueen 1983:29).

The conflict resonated through all levels of government and the judiciary, straining “the Tasmanian political system to breaking point” (Doyle and Kellow 1995:202), inspiring contentious debate at a national level, providing the impetus for the passage of the *World Heritage Properties Conservation Act 1983* and ultimately placing the final decision in the hands of the nation’s highest judicial forum. The High Court’s ruling, which has been articulated as “a landmark in interpretation of the Australian Constitution” (Lowe 1984:175), upheld the Hawke government’s decision to stop the dam’s construction, effectively signalling a profound constitutional and political shift in policy making in Australia.

Six years later Tasmania's parliament was transformed, in what has been described within the framework of the Australian political landscape as an unique political 'experiment' (Hay and Eckersley 1993; Lynch 1990), by the signing of the Tasmanian Parliamentary Accord (commonly termed the Labor-Green Accord) on 29 May 1989. The state elections held earlier that month returned a potentially hung parliament, with the ALP and Liberal party both respectively failing to gain a majority. At the same time, five Green Independents averaged 17.1 percent of the vote across Tasmania and were elected to the Legislative Assembly, effectively gaining the balance of parliamentary power. This unusual situation led, after an intense period of discussion and negotiations, to an agreement between the ALP and the Green Independents. The negotiations were conducted within a wider public context characterised by dissent, anger and controversy, marked perhaps most infamously by the attempt of the powerful media magnate and chairman of timber company Gunns, Edmund Rouse, to bribe newly elected ALP member Jim Cox to cross the floor in an attempt to restore Robin Gray's minority Liberal government to power. Within the broader Tasmanian community, the negotiations, the actions leading up to them and their broader social and ideological implications were pervasive to say the least: "the events of the past few years have been not simply a political transformation of Tasmania, but a personal odyssey for every Tasmanian. The political imposed on the personal and private as Tasmanian people have never known. Marriages, families, workplaces divided over Green issues" (Flanagan 1990a:133).

The Accord was, contrary to many of its contemporary articulations, "far short of a coalition" (Hay 1998:104). Rather, it was constructed as a series of policy-based "Heads of Agreement" and served as a "mechanism for Labor to form government and be assured of a majority on the floor of the House of Assembly" (Lohrey 2002:33). On paper, the Green Independents were guaranteed a number of environmental outcomes, which eventually resulted in a doubling of the World Heritage Area, and granted them further parliamentary resources and an assured input into government. In return, the Green Independents

handed the government to the ALP. Crowley (2000b) has identified three factors as integral to the electoral success of the Greens in 1989, and also in 1996, when they again won the crucial balance of power: the globally unique electoral equality generated by the Hare-Clark voting system; the compelling inspiration of Tasmania's natural environment; and the "bipartisan politics of ecological exclusion" (59).

The Labor-Green Accord lasted less than three years, with the first openly expressed discord occurring late in 1989. Interestingly enough, the first significant break down in relations was not over a natural resource issue but rather the Labor government's proposed budget cuts to education (Smith 1993). In October 1990, another major rift in the Accord occurred as a result of Labor breaching one of the primary elements in the agreement and raising the export woodchip quota above 2.889 million tonnes per annum. The final split came near the end of 1991 when the Green Independents moved a vote of no-confidence in the government as the result of yet another fracas over native forest management. Several complex and sometimes divergent explanations have been advanced as explanations for the breakdown of the Accord and the "tense and sometimes stormy" relationship between Labor and the Greens during this period (for some examples, see Crowley 2000b; Haward and Larmour 1993; Hay 1998; Hay and Eckersley 1993; McCall 1993; Wescombe 1990:185). A brief and by no means comprehensive list of these would include widespread, discordant and often highly publicised communications problems; personal conflicts between particular personalities from both groups; increasingly powerful opposition from various union and industry factions; inherently different perceptions as to what the Accord was attempting to implement, and more pertinently, what the Accord actually *meant* to the individuals involved; and perhaps most importantly, "that because the inherent values of the governing parties were in conflict, much of their relationship was a contest over meaning and therefore power to control political resources and impose value preferences" (McCall 1993:21). One of the more compelling arguments concerning the reasons behind the failure of Tasmanian Parliamentary Accord state that what was "crucially required of

the Accord (even more than an agenda of parliamentary reform), *was the setting in place of long-term processes and mechanisms to manage, mediate and resolve working disagreements between the Accord partners – and this is precisely what was absent*” (Hay 1998:107). Shortly after the collapse of the Accord, the Premier Michael Field called an election in February 1992 and subsequently made the record books with an all time ALP low of 28.9 percent of the primary vote, a result that ensured an overwhelming parliamentary success for the incoming Liberal government, led by Gray’s former deputy, Ray Groom.

A comprehensive understanding of the key events, management frameworks, policies and political discourses discussed in this chapter is a crucial element in any exploration of the use and management of Tasmania’s native forests. Tasmania, as noted earlier, occupies a globally unique position within the framework of natural resource management and, as such, any critical analysis of a process like the Tasmanian RFA and the environmental implications and outcomes generated by it must include a thorough examination of the key elements that have informed this process.

Finally, before undertaking a critical analysis of the Tasmanian RFA, it is necessary to highlight two crucially important processes that directly addressed the issue of native forest management in Tasmania, both of which preceded the RFA by a number of years – the ‘Commission of Inquiry into the Lemonthyme and Southern Forests’ (commonly known as the Helsham Inquiry) of 1987-1988 (DASETT 1988) and the Salamanca Agreement of 1989 which led to the development of recommendations for the Forests and Forest Industry Strategy of 1990 (see FFIC 1990a; FFIC 1990b). The Helsham inquiry was established by the Hawke government, despite state-based opposition from Robin Gray and his colleagues, in response to protracted conflict over specific forested areas, providing another important instance of intergovernmental dispute over natural resource management. Essentially, the inquiry undertook an investigation into the potential World Heritage values of areas in the

Lemonthyme and Southern forests of Tasmania and advised the Commonwealth Government accordingly. Somewhat unsurprisingly, the process was characterised by opposition and debate, as signalled by the legal challenges to the validity of the *Lemonthyme and Southern Forests Commission of Inquiry Act 1987* mounted in the High Court by the Tasmanian Forestry Commission (TFC); the disagreement amongst the three commissioners' conclusions, resulting in Peter Hitchcock's dissenting 'Minority Report', which was supported by the majority of environmental consultants working on the inquiry as well as by the Australian Heritage Commission; and the resulting stoush in the Federal Cabinet as Environment Minister Graham Richardson and Resources Minister Peter Cook argued for their respective positions as to how much forest should be nominated (DASETT 1988; Gee 2001; Tsamenyi *et al.* 1989).

The Salamanca Process was a unique attempt within Tasmania to try to solve the increasingly divisive impasse over the management of the state's forests. For the first time, representatives from the state government, the TFC, the Tasmanian Farmers and Graziers Association (TFGA), the Wilderness Society and the Australian Conservation Foundation (which later joined to form the Combined Environment Groups [CEG]), the Forest Industries Association of Australia (FIAT) and the Tasmanian Trades and Labour Council (TTLC) participated in a series of forums that were designed to "enable all of the key interest groups involved in forestry to gain some appreciation of each other's claims on the forest and to seek to achieve consensus on forest issues" (FFIC 1990b:9). The Salamanca Agreement was signed by all parties as a result of these discussions, and initially appeared to provide a framework within which the increasingly acrimonious disputes over the state's native forests could be somehow resolved. As Sandford has argued, "traditional resource development decision making and dispute resolution systems, be they judicial or administrative, are no longer adequate for the resolution of complex, multi-issue, multi-party development disputes" (1993:128). The Salamanca Process was an ambitious and enlightened attempt at an informed consensus-based decision-making process, operating

under the key tenets of negotiation and consensus, confidentiality of negotiations, collaborative public participation processes and exclusion of the media (Sandford 1993). A number of Regional Advisory Groups (RAG) were set up in order to develop the public participation elements of the process and to generate transparent and comprehensive consultation procedures. Unfortunately, by mid-September 1990 the negotiations had reached a complete deadlock over issues related to woodchip exports, resource security and the conservation of forest values. This standoff “became increasingly antagonistic and the parties became so locked into adversarial and accusatory roles, that they ‘could not see the wood for the trees’” (Sandford 1993:135), eventually resulting in representatives from the CEG walking out of the process, and resulting in a final strategy that was derived from negotiations between the other protagonists. The process has been described by Rosemary Sandford, the then Executive Co-ordinator of the Forests and Forest Industry Council, as “an innovative, constructive and genuine attempt by all parties to build bridges across decades of hostility and confrontation”, a series of negotiations that were initially entered into with good faith and commitment (1993:136), and although the negotiations eventually disintegrated in acrimony, the Salamanca Agreement and the FFIC process are crucial to any understanding of the complexity of Tasmania’s forest conflict, and the ways in which it may develop now, in early years of the 21<sup>st</sup> century.



## CHAPTER FIVE

### The processes, outcomes and implications of the Tasmanian Regional Forest Agreement for publicly owned native forests.

The Tasmanian RFA was signed by Prime Minister John Howard and Tasmanian Premier Tony Rundle on 8 November 1997 (CoA/TasGovt 1997b), effectively cementing in place a policy and management based framework that would govern the fate of Tasmania's native forests for a 20 year period. The mechanism that was put in place committed current and future federal governments to pay compensation if the agreement was undermined during this period. The signing of this document signalled the culmination of a lengthy and resource-intensive process which had enlisted the services of hundreds of scientists, expert consultants, bureaucrats, politicians and members of the community. This process had initially "appeared to offer a way of reconciling multiple competing interests" (Hollander 2004:11). Through its seemingly comprehensive assessment processes, voluminous reports, emphasis on intergovernmental cooperation and stakeholder consultation, detailed reporting procedures and advanced computer modelling systems it seemed to "promise that environmental decision-making and management would be lifted to a new level of professional excellence", even taking into account its marked lack of integrative methods (Dargavel 1998:28). It has been promoted as:

one of the best processes that we've seen anywhere. It was never going to be a perfect system and ... you learn from those processes ... it didn't do everything for everybody. But ... you can't condemn it out of hand because it went a long way to meeting a lot of expectations on both environmental and economic grounds (respondent 4).

However, the Tasmanian RFA process and the outcomes it generated have been the subject of a continued and incisive critique for the last decade. Drawing on the relevant literature and data collected from interviews with four key stakeholders, this chapter will explore some of the key elements of the RFA process and conduct a critical analysis of a number of outcomes that directly resulted from the Agreement.

The RFA was posited and subsequently promoted by the state and Commonwealth governments as a process that was thoroughly grounded in science, as emphasised in Premier Rundle's speech at the signing of the RFA: "this is an agreement based on science, it is not an agreement based on politics, and let us get that straight" (ForestsTaskforce 1998:5). The importance of science within the RFA project is paramount to the point where some commentators have argued that the very "legitimacy of the RFA outcome hinges upon its scientific basis" (McDonald 1999:302). Science was widely perceived as a discipline that had the rigour and capacity to provide a "rational and defensible basis for decisions" (Hollander 2004:12). However, the utilisation of science within RFA processes across the nation – its importance, integrity and perhaps most importantly, the ways in which it was interpreted – has become an increasingly contested issue (for example, see Brueckner 2007; Brueckner and Horwitz 2005; Horwitz and Calver 1998; Kirkpatrick 1998). A closer examination of the nexus between science, policy-making and politics as articulated in the RFA process reveals a number of faultlines. Some of these have been expressed within a broad conceptual framework that calls into question the very methodology of the scientific component of the RFA, as emphasised by one of the interview respondents: "was science being asked the right questions by the process?" (respondent 3). This line of enquiry, which is notably absent from a large proportion of the literature, has been developed to a more specific level in the argument that "the scientists should have been asked the luxurious question: what is now best ecologically for Australia's native forests?" (Ajani 2007a:181).

A recurring theme encountered within the stakeholder interviews, though expressed in markedly different ways, and one which also charts an intriguing and sometimes subtle trail throughout the literature, is directly concerned with the relationships between science and policy, or perhaps more pertinently, between scientists and policy makers working within the RFA process. This uneasy relationship can be articulated in terms of a shift in the perceptions of different cohorts:

the scientists who worked on [the Tasmanian RFA process] were people of great integrity and ... they were committed to science. There was also people who took the scientific results and looked at them from a political viewpoint or an economic or social viewpoint and sort of made decisions which reflected the science but weren't necessarily ... what it might have been (respondent 2),

It can also be more defined as a conscious decision by policy makers to translate the science in their own terms to achieve their own specific objectives:

the criteria for forest conservation were released and a committee called JANIS was set up which was bureaucrats - it consisted of bureaucrats - and they went through those criteria and rewrote them to put in weasel words wherever they possibly could (respondent 1).

The terms 'if practicable' and 'where possible' are indeed a notable feature of the JANIS criteria, a textual signal that some commentators have interpreted to indicate that the national conservation targets were diffused to more closely align with socio-economic goals, and, on a broader level, a series of amendments shifted the trajectory of the RFA process from a strategy with a primary emphasis on environmental conservation based on robust scientific research to one which propagated the all too familiar and diluted 'balance' between conservation and socio-economic interests (Herath 2002; Kirkpatrick 1998; McDonald 1999).

The CAR reserve system was designed so that "vegetation communities were used as surrogates for the whole diversity of life that each community might contain" (respondent 2), which was a "good starting point" and based upon "really good science" (respondent 4). However, as has been argued, although the criteria utilised as the relevant indicators of the CAR system's success were certainly 'based' on the recommendations of independent expert scientists, the scientific credibility of this process was compromised through a bureaucratic amendment process (Horwitz and Calver 1998). Compounded with this, there is evidence to suggest that in the Tasmanian context "many of the scientific reports and evidence that were generated as part of the RFA process were ignored" (respondent 3) and "a lot of that data just, despite all the effort of putting it in, disappeared into a giant black hole" (respondent 2). An example reported by Kirkpatrick (1998) notes the exclusion of a

report proposing further extensions to the TWWHA (Blake *et al.* 1995) in the considerations of an expert panel, which included Professor Kirkpatrick, set up to assess areas of potential World Heritage values as part of the RFA process. To further compound the issue, the foreword to a background report produced by the expert panel, which was then “fed into a further process, run by State and Commonwealth bureaucrats” (Kirkpatrick 1998:35), stated clearly that “this report is not intended to form the basis of any decisions on World Heritage areas in the Tasmanian Regional Forest Agreement” in spite of the fact that it contained solid recommendations by some of the most reputable World Heritage experts in Australia (TPLUC 1997).

In Tasmania, most complications occurred within the mapping process and in the classification of vegetation communities. The vegetation mapping has been identified as one of the most crucial scientifically based components of the Tasmanian RFA process as it essentially became:

the basis for determining whether communities were rare or under-reserved and then that became the basis for saying which communities had constraints on them through the RFA and what extra reservation was needed (respondent 2).

Yet the timeframe allocated to the mapping process was insufficient and subjected to a regime of continual changes, implemented within an *ad hoc* and poorly communicated planning framework: “initially we were told we had three months to do that and then as three months approached, that was brought out to six months and then to do the mapping was taken out to a year” (respondent 2). The inadequate allocation of time and resources to such an integral component of the process, along with the failure to utilise all the available data, has been highlighted by a number of commentators (for example, Dargavel 1998; Kirkpatrick 1998; Lane 1999).

The combination of inadequate timeframes and the “people who were in the best position to come up with classifications being terribly over-committed” (respondent 2) had a highly negative effect on the quality of the mapping: “the science [in the Tasmanian RFA] was

crap because the maps were basically fantasy maps” (respondent 1). The quality of the vegetation community classifications was also affected to a significant degree, considering that they became the “building blocks of the whole structure” governing conservation reserves:

if you want an example of how bad they are, you just go and look at the names of those communities because they’re just an absolute mish mash ... it’s a pretty reasonable reflection of how hurried that classification was and if you look at the community descriptions, that’s just a confirmation of that (respondent 2).

McDonald has argued that these serious flaws, some of which were common to other RFAs on the mainland, “call into question the capacity of the concluded RFAs to observe the precautionary principle” which has been identified as one of the most fundamental tenets of sustainability (1999:303). As a result of bureaucratically generated amendments to data, reports and recommendations, combined with the exclusion of some key data and the unfortunate erosion of thorough, scientifically grounded mapping and classification processes, the scientific basis of the Tasmanian RFA was critically compromised. This is largely due to poor planning on the part of the bureaucrats charged with organising a methodologically sound strategy. In a statement signed by several of the country’s most reputable scientists, it was argued that “the scientific processes in the Tasmanian RFA were overwhelmed by political compromises” (Bekessy *et al.* 2004). As a result, even though there was “a genuine attempt at science” (respondent 2) and a “high level of scientific input into the RFA process” (respondent 4), the outcomes were significantly altered by this bureaucratically generated erosion of scientific credibility. Ajani also makes this point, arguing that, as late as 1996, “no government could claim the [JANIS] criteria were scientifically based, but all did” (2007a:180).

The RFA process in Tasmania “provided the opportunity for widespread community involvement in all aspects of the work” through a process of “systematically inviting public comment on the range of projects and background reports generated as part of the RFA process” (CoA/TasGovt 1997a:4). It was emphasised repeatedly by politicians on a state and

federal level that “the participation of key stakeholder groups and interested members of the general public has been essential to the progress of the RFA” (for example, Hill *et al.* 1997). Coakes reinforces the message of strong stakeholder and public involvement occurring throughout RFA processes nationally, listing some of the mechanisms involved within this process: stakeholder briefings, public meetings and submission processes, RFA information kits, media releases and the participation of stakeholders and communities in assessment work (1998:49). A substantial amount of effort went into the process of developing these mechanisms:

they went to great lengths to try and make it a very consultative process. They had lots and lots of studies. They certainly produced lots of reports and they engaged lots of people, you know, there were a whole range of disciplines that were engaged and they tried to set up sort of social engagement processes ... most people had the chance to go along and have their say (respondent 4)

However, a question persistently raised in the literature (Coakes 1998; Hollander 2004; Lane 1999) was also emphasised by two of the respondents. This concerns the weight that this consultation process carried within the decision making processes leading to the final outcomes of the RFA. One of the respondents framed this issue within a continuum of stakeholder involvement:

on the spectrum of public participation processes from none whatsoever to asking for submissions and giving 3 days for people to write them then throwing them straight in the rubbish bin without reading them to actually having people involved in working out what the outcomes should be ... [the RFA] was sort of in the lower middle of that range (respondent 1).

Other commentators have advanced even more explicitly critical assessments of the consultation process. Social ecologist Duncan Mills maintains that the Tasmanian RFA process was deliberately biased towards particular interest groups: “the regional forest agreement consultative process was, for all practical purposes, framed by the timber industry itself” (RRATRC 2003b:393). Lane questions the validity of both the consultation process and the very processes implied by the term ‘Regional Forest Agreement’, arguing that this title is “a misnomer. The term suggests an inclusive process of regional negotiation among key stakeholders. RFAs are, instead, an exercise in centralised resource assessment which do not result in inclusive regional agreements” (1999:150). A common theme that

emerges is the charge that, although the RFA went through at least “the motions of public consultation ... there was too little apparent taking on of people’s concerns and the final result was somewhat mystifying” (respondent 3).

A number of principles that would be included in any discussion of ‘good’ governance processes would include the concepts of accountability, transparency, participation, relationship management and equity. As Lockwood has argued: “the choice process should be transparent at every stage, with full information and decision rationales available to any interested person” (2005:18). In contrast to this model, the negotiations and decision making processes that were conducted within the final stages of the RFA process can only be described as ‘opaque’. In a public relations strategy for the RFA, commissioned by the Federal Government and developed by social and consumer research organisation Keys Young, it was emphasised that “there is likely to be some resistance to the notion of a State/Commonwealth agreement that is ultimately reached behind closed doors” (quoted in Ajani 2007a:191). However, this notion *was* realised and the problematic implications of the obfuscation that this entailed not only provoked a significant amount of consternation in the immediate aftermath of the RFA (Lane 1999; Law 1998; Lester 1997), but are still manifest today in the conflict over native forests, to be discussed in the next chapter. Although some have argued that “the process was reasonably transparent” (respondent 4) the evidence against this appears formidable. The contrast between a purportedly widespread, inclusive and multi-levelled RFA process that was at least partly apparent in its earlier stages – certainly in its stated intent – and “the opaque nature of the final decision making” is marked (Dargavel 1998:29). One of the respondents described this final stage of negotiations in the Tasmanian RFA:

in the end, the decisions were made by several people that I know in a non-smoke-filled room. They just sat around. They were bureaucrats from the Commonwealth or from the state and they were high level bureaucrats. They weren’t necessarily ones that knew about the forest values and they weren’t in fact, in Tasmania’s case, I don’t know about the other cases, and they drew lines on maps and they were really aware of the demands of industry and the demands of industry were what were really motivating

them I think in coming to that sort of solution that they did (respondent 1)

The lack of transparency in this concluding phase of the RFA is further reinforced by two additional factors: the fact that there exists no publicly available list of the individuals within that 'non-smoke-filled room' who made crucial decisions regarding the management of Tasmania's native forests for a period of 20 years; and the 'mystifying' outcomes generated as a result of these negotiations, which were implemented with no publicly stated "reason as to why certain areas were protected whereas others were not that was readily available. There was very little explanation as to the reserve design which was eventually chosen" (respondent 3).

The outcomes of the Tasmanian RFA, when examined against the concept of environmental sustainability, are variable. The most enlightened aspect of the environmentally based outcomes produced has been identified as the increased reservation of threatened communities present in the dry sclerophyll forests of the Midlands region: "I think the most valuable ones were in the drier areas of Tasmania and the least charismatic ones were in the drier areas of Tasmania" (respondent 2). Another respondent observed that the "timeframe was very short, so the maps weren't very good, the calculations weren't very good, but the reserve system that came out of the RFA as far as biodiversity stuff went was really good, because we were able to put some pressure on to get some money for private land conservation" (respondent 1). The Private Forest Reserve Program (PFRP) implemented as a result of the RFA was largely responsible for an increase in reservation of these particularly communities, which have been degraded over the years by both agricultural and forestry practices, and has been identified as being instrumental in achieving "a pretty good forest conservation system ... a very good one ... for biodiversity that is" in Tasmania (respondent 1). The setting of benchmarks and an increase in the recording and publication of accessible data about forestry practices was also perceived as a positive outcome by two of the respondents. However, it was also seen as something of a double-edged sword: "there's good news and there's bad news. The bad news is we're going



to destroy the forests. The good news is we'll give you really well documented figures about it for the very first time" (respondent 3).

Critical responses to RFA outcomes in terms of environmental sustainability are numerous. One of the primary concerns raised (and this has been echoed in critiques of mainland RFAs) was "the degree to which the Commonwealth appears to have transferred its authority to the states. Both agreements [East Gippsland and Tasmania] are intended to virtually disable Commonwealth environmental legislation as it applies to forests in the region for twenty years" (Dargavel 1998:29). This trajectory was compounded in 2002, when the *Regional Forest Agreement Bill 2002* finally passed through the federal parliament, a piece of legislation that effectively excludes any forestry operation in an RFA area from the powers of the Commonwealth's most significant environmental protection legislation, the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC). This signalled the final "surrender of the federal government's native forest environmental responsibilities back to the states" (Ajani 2007a:190). The RFA process effectively ensured the Commonwealth Government's relinquishing of political responsibility for Australia's native forests and the handing of the reins to the state governments, whose agencies "continued to operate within a developmentalist framework and [who] remained politically and economically aligned with the timber industry" (Forsyth 1998; Hollander 2004:15).

Another point of contention that was highlighted on a national level was the removal of export woodchipping controls once an RFA was signed (Ajani 2007a; Dargavel 1998; Hollander 2004; McDonald 1999). As one of the respondents states: "the trade-off [for the increased reserve system] was the removal of a cap on export woodchipping. So export woodchipping became subject to the demand of an ever-growing market" (respondent 3). In Tasmania, the implications of this removal of export controls has been graphically illustrated by a significant increase in publicly owned native forest chiplog sales from Forestry Tasmania to Gunns Ltd. In the 2003-2004 financial year, sales of publicly owned

native forest peaked at almost three million tonnes, a 60 percent increase from 1997/1998 figures (ForestryTasmania 1998; ForestryTasmania 2004).

Many of the criticisms of the environmental outcomes of the Tasmanian RFA were directed at the new CAR reserve system, a system which contained a number of areas that “were never in the hunt to be production areas anyway because they were on steep slopes or in areas that were not really commercial to road to or to log” (respondent 2). There was much criticism of the earlier mentioned conflation of Tasmania’s eight IBRA regions into a single region for the purposes of the RFA, many arguing that if the JANIS criteria had been applied properly to each bioregion, the outcome would “not have resulted in the need to protect much larger areas, but would have ensured that regional patterns in the loss of forests were considered” (NEFAG/TCT 2000:3). This relates to some of the issues outlined earlier: “the science was applied when it suited the interests of the government and the industry and largely sidelined when it didn’t suit those interests. So it was very much a cherry picking exercise” (respondent 3). The reservation of old growth forest – particularly stands of mixed forest – was one of the most contested outcomes to emerge from the Tasmanian RFA, with a number of critics claiming that the representative nature of the reserved areas was compromised through inconsistencies in mapping and definitional semantics (McDonald 1999). The problems inherent within the RFA science, particularly the mapping procedures, were highlighted in relation to this issue by some of the respondents:

the old growth mapping, well that was even worse fantasy mapping than the vegetation mapping really ... I don't know who was doing the old growth stuff. I think that might have been done within Forestry Tasmania but it was a pretty weird outcome. I don't know whether there was any politics in that ... there were a whole lot of rules about old growth ... the proportion of old growth that should be in reserves as well. If those rules had been applied ... in the RFA as they were written originally then the Styx River valley would have been reserved straight off, because it would have been the only option for reserving old growth *regnans* to get up to the target ... the 90% of wilderness stuff was subverted to some degree by selection, by the way in which the criteria were applied (respondent 1).

The categorisation of reserves was also seen as a problem. Reserves on state forest are classified as either 'formal' or 'informal', with the distinguishing point being concerned largely with their legislative security. The revocation of formal reserves must be passed through the state parliament whereas informal reserves can effectively be annulled with the stroke of a pen:

a lot of informal reserves are very small, scattered, convoluted in design, and so therefore not secure or viable. So therefore their statement of the amount of old growth forest, in particular, commercial varieties like *Eucalyptus regnans* was grossly overstated when it came to how much was in reserves. So they were prepared to ignore the science when they wanted to. And in fact they had a built in escape clause that said if there were social and economic impacts of protecting a particular type of forest then they didn't have to meet the targets ... so much for science (respondent 3).

For some critics, these shortcomings amount to a systematic failure to adhere to the spirit and processes outlined in the NFPS. They maintain that the Tasmanian RFA "is widely perceived in the scientific community to have failed to deliver the intended protection for environmental, wilderness and heritage values that state and federal governments committed to when they signed the National Forest Policy in 1992" (Bekessy *et al.* 2004:60). Others have argued that the RFA, particularly in regards to reserve selection, was utilised as a political tool to gain some form of leverage:

they basically they played silly buggers in every one of the processes, like the RFA, they left out that corridor along the pipeline through the Tarkine rainforest ... they left that out and they left it out deliberately so they could have a bargaining chip ... and the latest thing they leave out is the Upper Florentine valley on ... a major tourist route ... beautiful valley, really magnificent forests. I mean they're off their heads ... I think they can see they're on the way out and they're just bargaining their way backwards (respondent 1).

The signing of the RFA in Tasmania was almost immediately followed by an exponential growth in plantation establishment. Tasmania's total plantation area increased from 64 200 hectares in 1996 to 207 300 hectares at the end of 2002. A significant proportion of this new plantation estate was established through the clearing and conversion of predominantly publicly owned native forests; from 1999 to 2003, a total of 80 000 hectares

of native forest were “clearfelled and mainly converted to plantations” (RRATRC 2004:110). In 2002, Andrew Blakesley, the Director of Forest Policy at the Tasmanian State Department of Infrastructure, Energy and Resources (DIER), explained to a Senate inquiry that the “recent expansion of the public plantation estate in Tasmania has been underpinned by the Tasmanian Regional Forest Agreement, in which the Commonwealth provided Tasmania with \$58 million to establish new plantations” (RRATRC 2002:106). One of the respondents interpreted this element of the Tasmanian RFA as “a windfall. It was a means of laundering money from the Australian taxpayer to companies such as Gunns and organisations such as Forestry Tasmania were complicit in that” (respondent 3). The implications of this process are far too extensive and intricate to be addressed in detail here, but they were met with a barrage of criticism from a diversity of commentators. Senator Ian Campbell outlined the following response to the conversion program in 2004: “One of the Regional Forest Agreement outcomes in Tasmania, which I’ve gone on the record as saying is a perverse outcome, is that they’re actually slashing native forests to replace them with plantations, and the Commonwealth has made it quite clear that we regard that as an obscene outcome of that agreement” (De Blas 2004). Several reasons for this explosion in native forest conversion have been advanced. However, it is widely agreed that, as there were a number of new reserves implemented as part of the agreement and therefore taken out of production:

the corollary was ... we need to intensify production elsewhere and the way that production was intensified with a lot of money coming from the Commonwealth Government to do it was to embark on this huge plantation establishment program ... the question is ... whether it was a good trade off to reserve ... a whole lot of area, then allow other areas to be cleared and really reduce their biodiversity values and get put into plantation (respondent 2)

There are other elements regarding the environmentally related outcomes of the Tasmanian RFA process that are worthy of a detailed and thorough analysis. These most notably include the integrity of water catchments, the increasingly critical issue of climate change and the protection of threatened flora and fauna. However, due to space constraints and the complex discourses associated with them, these issues are situated outside the scope

of the project. Likewise, a large body of analytical work has been produced that critiques the economic motivations, issues and performance of the RFA, and this, too, lies outside the scope of this paper.

The RFA process, as articulated earlier, was promoted as a concerted attempt to alleviate the conflict over native forests. The one undisputed area in which this objective was outstandingly successful was in alleviating the continued conflict between state and federal governments (see Forsyth 1998; Hollander 2004; Lane 1999). However, outside the institutionalised political arena, a brief glance at any Tasmanian newspaper produced in 2007, exactly one decade after the agreement was signed, will serve to highlight the magnificent failure of the process to achieve this goal: “the politicians achieved a degree of success in taking the heat off themselves, but as a result the heat in the community increased” (respondent 3). It has been proposed that “the very systematic approach [of the RFA] went a long way to resolving a lot of the concern in the community. Without that approach ... the debate would have been a lot worse” (respondent 4). However, others have argued that this approach was:

totally ineffective because I mean it was a bit of a con trick really ... the industry people and the politicians thought that ... if we dealt with it scientifically it'd all be alright because everyone knows science solves all problems, but of course science doesn't solve all problems because people are attached to a sense of place and they are attached to their local regions and they don't like seeing huge swathes of forest being knocked over. They probably don't like the other side effects either like what happens to their rivers and so forth. So, you know, people don't just concentrate on the high biodiversity value forests. They're interested in all of them and most of them, well a large proportion of them, are public ownership (respondent 1).

The next chapter will address the underlying problems associated with the Tasmanian forest conflict. However, in particular relation to the RFA process, it is worth highlighting an element that is often neglected. As Lockwood has argued, “values and value integration are fundamental to [difficult and contested land use and public policy] decisions and the choices that underlie them” (2005:8). There is overwhelming evidence to suggest that the very methodology of the RFA process failed to comprehend, or wilfully ignored, the

underlying yet potent “ideological dimensions of forest disputes” (Lane 1999:150). The RFA process, as implemented on a national level, utilised a technocratic veneer of ‘scientific’ legitimacy to try to resolve an intrinsically value-laden and ideologically grounded debate (Brown 2001; Lane 1999; McDonald 1999). As one respondent noted:

it hasn't done them much good to do that really, if you have a dispassionate look at it. I mean if they'd actually paid some attention to doing it properly in the first place they wouldn't have been in such deep doodles as they are at the moment (respondent 1).

The current and uniquely Tasmanian forest conflict, and potential ways in which it could be transformed, will be explored next.

## CHAPTER SIX

### Tasmania's native forests: the conflict, the Forest Practices System and the potential for future transformations.

Debate over the fate of Tasmania's forests continues to escalate. Although it has been exactly ten years since the Tasmanian RFA was signed – a decade that has seen two major amendments to the Agreement, both characterised by the familiar themes of political controversy, conflict and widespread public outcry from all sides of the debate – the contentious issues and heated dialogue surrounding the use of native forests show no signs of abatement. Over the last year, Tasmania's forests have once again been propelled into the Australian public consciousness, primarily as a result of “the huge chemical pulp mill that has ... made Tasmania a national green battleground” (Darby 2007b). The pulp mill debate has both revisited and exacerbated issues that have been a crucial element of the island's cultural geography for decades, as well as inscribing newly articulated dialogues into the familiar discursive canvas of Tasmanian forest politics. This chapter will outline some of the primary points of contention located in this debate and conduct a critical exploration of certain aspects located within the framework of the Forest Practices System. It will undertake a brief analysis of the forest conflict, focusing on both its underlying premises and its increasingly contested discursive framework, and will conclude by exploring some future options for the management of the state's publicly owned native forests.

A list of some of the key elements highlighted in the forest debate which have gained an increased currency over the past few years would notably include: concerns over the integrity of governance and management frameworks located within the forestry industry; the relationships between government, industry and unions; the environmental and economical sustainability of current forestry practices most characterised by an explicit

reliance, in regards to native forests, on woodchipping; the impacts of current forestry practices on threatened species, water catchments and, increasingly, in relation to climate change; the influence of large corporations such as Gunns Ltd. on government decision-making processes and policy; the multiple implications of litigation directed at environmentally motivated groups and individuals by Gunns Ltd. and Forestry Tasmania; the numerous tax-payer funded subsidies received by the forestry industry and associated bodies; the broader implications of the Wielangta decision in relation to the scientific credibility of Forestry Tasmania and the capability of the Tasmanian RFA in complying with legislative environmental criteria; and the integrity of decision-making processes and outcomes involved in two important amendments to the RFA – the Tasmanian Community Forest Agreement (CFA) which was implemented through the Supplementary Regional Forest Agreement (CoA/TasGovt 2005) and an amendment developed in response to the Wielangta court case (CoA/TasGovt 2007a). A thorough analysis of these complex, interrelated and highly contested issues lies well outside the scope of this thesis (due to space constraints) though all have been the subject of a diverse and robust dialogue conducted within a variety of forums.

In recent years, the integrity and effectiveness of the Tasmanian Forest Practices System (FPS), which was outlined in Chapter Four, have been questioned in regards to a number of environmentally related issues. Some commentators have argued that a system which regulates logging practices in unreserved areas of high conservation value is inherently suspect:

so to say, well we are going to sustainably destroy that wilderness and we will have regulatory bodies that ensure that logging in this wilderness area or on these steep slopes or in this endangered species habitat will occur sustainably is of itself a nonsense (respondent 3).

In 2003, the FPS was brought to the attention of the Senate and, subsequently, subjected to scrutiny from the national media and various political commentators, when former forester turned 'whistle blower', Bill Manning, gave evidence to the Rural and Regional Affairs and Transport References Committee's inquiry into plantations (Altmann 2003; Clark 2004;



Darby 2003; Fullerton 2004). Manning's evidence regarding the Forest Practices System and the industry was an explicit indictment of current governance, management and operational procedures within the industry:

the forest industry has become so woefully negligent in its practices that it has been forced to be exempted from all other state environmental, planning and land management legislation for the simple reason that were it to be judged by the legislation that other Tasmanians have to abide by, it would be found to be comprehensively in breach of Tasmanian law. From my extensive experience in the forestry industry, I believe that the implementation of the regional forest agreement and 2020 vision have led, first, to the weakening of the Forest Practices Code by making a lie of the claim that it is world's best practice; secondly, to corruption of forest management in Tasmania such that there is no enforcement of this weakened code of forest practice and no silvicultural outcome other than the clear felling of native forest for plantation establishment of exotic introduced plantation species; thirdly, to the RFA and 2020 vision manipulating the development of an internal auditing system which has led to the misleading of the Tasmanian parliament; fourthly, to the decimation of habitat for endangered species in Tasmania ... and, finally, to a culture within the Tasmanian forestry industry of bullying, cronyism, secrecy and lies ... science has largely been ignored due to the influence and dominance of the woodchip industry foresters on the Forest Practices Board and the Forest Practices Advisory Council. The erosion of best practice has been compounded by the self-regulation of the industry which has been so ineffectual as to render it virtually non-existent. This has meant that standards of forest practice have actually dropped markedly and the industry is in virtual regulatory free fall ... The culture of the forest industry and the regulatory bodies who are supposed to govern it is one of intimidation, deception and lack of transparency, one which will vilify and exclude those who attempt to bring it to account ... This culture of lack of accountability and lack of transparency is endemic at the highest levels (RRATRC 2003a:501-506).

Manning provided documentation outlining breaches of multiple FPPs, emphasising that these had been wilfully ignored by the relevant authorities (See RRATRC 2003a:497-545 for a full transcript of Manning's testimony).

This evidence, which was, predictably, disputed by both the state government and key players within the industry, highlights a number of problematic issues. As noted earlier, the vast majority of forestry operations in Tasmania are exempt from the legislation and regulations embedded within the state's Resource Management and Planning System

(RMPS), which has been described as “a world-class system of integrated environmental environmental planning and regulation, characterised by ample scope for public participation” (Hall 2002:2), and effectively operate under a process of self-regulation. Manning’s account, coming as it did from an ‘industry insider’, reinforced critical concerns with both the system itself, and the means by which it is implemented ‘on the ground’. Self-regulatory systems, especially systems such as the FPS which are self-regulated to the point where they are exempt from key Commonwealth environmental legislation like the EPBC Act, are an uncommon phenomenon within natural resource management. It has been argued that “the accountability of decision-makers to the wider community is critical within a self-regulated system” (Gee and Stratford 2001:61). In 2006, there were 118 Forest Practices Officers (FPOs) involved in planning and inspecting forestry operations respectively. Out of these 118 FPOs, only 3 are employed by the Forest Practices Authority, with 41 employed by industry, 44 by Forestry Tasmania, 7 by Private Forests Tasmania and 22 who act as independent consultants (FPA 2005-2006:48). In other words, less than 3 percent of FPOs act on behalf on an independent statutory body while over 72 percent are employed by the enterprises or businesses whose primary interests are concerned with maximising wood production and profits. One of the respondents spoke of the FPOs, positioning their actions within an intriguing framework:

my opinions have changed over the years ... I’ve become either tarred with the brush of working in a place like this or tarred with working with the people in the forest industry but I think most of the Forest Practices Officers ... especially those ... who work on state forest, are pretty committed towards trying to get some sort of balance. You can argue what the balance is but you know, they’re not out and out vandals (respondent 2).

In stark contrast stands Liberal Senator Heffernan’s commentary on this particular situation: “I would have thought it was blindingly bloody obvious that, if you do not have independence of means, you certainly are not going to have independence of mind” (RRATRC 2003a:513). As one of the respondents commented:

we’ve got a situation where the regulatory agencies aren’t getting enough money to cover and to do their job and to adequately carry out assessment of the forests which are being destroyed at tax payers’ expense ... we’ve got governments who give taxpayers’ dollars to the destroyers of the forests

but insufficient taxpayers' dollars to the supposed watch dogs. So, what an ironic tragic situation that is and what a twisted use of taxpayers' dollars we've got here in Tasmania (respondent 3).

Other commentators have argued that the FPS is in dire need of an increase in strategic long-term planning: "there is a crushing need to develop a much more precautionary approach ... if you wanted to take these issues seriously ... you would be investing an enormous amount of money in decent R & D in terms of the likely impacts of these operations. This is just not happening" (Alistair Graham, quoted in RRATRC 2003b:452).

Lastly, a key element related to the implementation of the FPS concerns the Forest Practices Code (FPC) and reinforces what seems to be an endemic problem in Tasmanian forests policy and legislation. The wording of the FPC itself, with its emphasis on phrases like 'if possible' and 'where practicable' – for example, "planning will be directed to minimising as far as is practicable the percentage of the catchment harvested, roaded, or established to plantation in any one year" (FPB 2000:57) – is highly reminiscent of the bureaucratic amendments to the RFA and its relevant implications as referred to in Chapter Five. Other issues regarding the scientifically credible and ecologically sustainable basis of the FPC have been raised, with one notable example concerning the widths of riparian buffer zones, particularly in relation to the impacts of logging practices on threatened species like the *Astacopsis gouldi* (giant Tasmanian freshwater lobster). An expert report produced as part of the RFA process stated that protection measures within the Forest Practices Code were not effective in addressing disturbance to stream systems and needed to be reformed (Lynch and Blühdorn 1997). To date – though it must be noted that a review of the FPC is currently pending – little has been done to assess the scientific validity of riparian buffer zones and alter them accordingly. The capacity of the FPA has not been sufficient to adequately address these critical issues concerning threatened flora and fauna:

the Forest Practices Authority cannot ensure that threatened species' habitat and habitat of flora and fauna more generally are being sustainably managed. It can't ... it has failed to do that and that's been demonstrated by the Wielangta court case – Bob Brown vs Forestry Tasmania – where it was found by the judge that those bodies were actually failing in their job (respondent 3).

There exist, then, a number of critical concerns about the FPC's function as *the* set of guidelines and standards governing forestry practices in the state, and the FPA as *the* independent 'watchdog'. When the exemption that almost all production forestry areas have from legislation such as the EPBC Act is taken into account, with the primary responsibility of ensuring the protection of threatened species held, by default, by the Tasmanian government, then the situation begins to look critical.

Judith Ajani, in her incisive critique of the Australian forestry industry, identifies three factors at the centre of the forest conflict: the failure of plantation processors to demand recognition of their key role from government; the "extraordinary profit performance" of the woodchip industry; and the alignment of the forestry union with the native forest sector (2007a:2-4). Over the last ten years, the latter two factors have been particularly visible in Tasmania, with the emergence of Gunns as a corporate powerhouse in the mid 1990s and the critical influence of key union players, particularly Michael O'Connor, National Secretary of the Forestry and Furnishing Products Division (FFPD) of the Construction, Forestry, Mining and Energy Union (CFMEU), in the federal election campaign of 2004. Conflict is a crucial component of any assessment of the use and management of Tasmania's publicly owned native forests. It is, in many ways, *the* central element around which the contemporary political and ideological landscape of Tasmania has been shaped. Particularly over the last ten years, the forest conflict has been exacerbated to the point where it acts as a powerfully volatile force present in every layer of the island's consciousness:

those resentments are still there. Forestry Tasmania tries to sweep them under the mat, claims that it's turned over a new leaf, has yet another glossy advertising campaign, but the fundamental problems are just as bad today as they were five or ten years ago (respondent 3).

Almost every Tasmanian possesses a well-formed and often vocal opinion on the forests and on forestry practices within the state. Annie Willock, member of the Special Committee of Kentish Council – Forestry in the north-west of the island, describes the critical levels that this conflict has reached:

it is the sense of community wellbeing that is specifically under threat. It is the division in the community that is the most disturbing ... We are at loggerheads with one another; we have that instability that is demonstrated in the environment that we are creating around us (RRATRC 2003b:469).

Conflict often centres around unprotected stands of old growth or high conservation value native forest, which could conversely be identified as high volume production forests, located on publicly owned land. The names of these bitterly contested tracts of forest – some notable examples would include the Styx, Weld, Tarkine and Upper Florentine – have become an integral part of the vocabulary of debate, which manifests in a diversity of settings, from government buildings to rural pubs to blockades set up by conservationists amongst the ancient eucalypts. The debate is usually articulated as hopelessly entrenched and has prominent recourse to battleground terminology:

we've got this trench warfare now where the government says 'Look, we think we've got it right. We're not budging any more because we've given up all of our forests in reserves and these bastards will never be satisfied so that's it' and there's a whole heap of people who believe in that trench warfare mentality, you know, war of attrition, grind the bastards down and then the greens will go and worry about something else. It didn't work in the first world war. It's not going to work now ... because what's happened, it's gone from being a few dark greens having these views to the broad community now [that] shares many of these views (respondent 4).

Debate is publicly framed in oppositional terms, with an emphasis on marked polarities. Key dualisms in the conflict include 'workers'/'greenies' and '(native) forests'/'jobs'. This reductive logic, which acts to reduce complex debate to two choices, is frequently propounded, as, for example: "the environment movement has been unable to recognise that thousands of jobs have been lost because we have been transitioning out of old growth since 1978" (Tasmanian Premier Paul Lennon, quoted in Haley 2002:3); or, more recently, in response to polling that showed the majority of Australians opposing old growth logging: "that presumably means most people would rather (old growth) being burned in bushfires than harvested: they are the two choices ... Old growth doesn't live forever; trees die" (Bob Gordon, Managing Director of Forestry Tasmania, quoted in Denholm 2007b:22). As Morgan has argued: "there are many lies propagated by the pro-logging side of things as

well [as the pro-conservation side] but the most insidious lie of all is that there are only two sides to the argument, and only two possible outcomes – a smouldering, poisonous moonscape or a pristine, untouched wilderness... most [people in Tasmania] will be stuck with the slogans” (2007).

This tactic of positioning jobs against forests in a reductive ‘for or against’ construction is a well-used and extremely effective strategy deployed largely by the Tasmanian Government and the Tasmanian forestry industry, which serves to obfuscate a number of key factors. Due to increased mechanisation and technological developments, wood production processes have become decreasingly dependent on human resources and, as such, the forestry industry has conducted a down-sizing, rationalising and restructuring of human resources. Tasmania is the largest exporter of woodchips in Australia, exporting more woodchips than all the other states combined. In 2003/2004, Tasmania generated 3.1 million cubic metres of log sales sourced from publicly owned native forests, with 84 percent of this total being chipped (Ajani 2007a:278). Forestry Tasmania has recently released figures – which have not been publicly accessible for a number of years to “protect the commercial interests of Forestry Tasmania and its clients” (Gordon 2007) – indicating that wood from publicly owned native forests will be sold to Gunns Ltd., the world’s largest exporter of hardwood chips (3.4 million tonnes in 2006/2007), from between \$12.50 and \$13.75 per tonne from 1 January 2008 (Darby 2007a). Managing Director of Forestry Tasmania, Bob Gordon, has also confirmed that 500 000 tonnes of woodchips sourced from publicly owned old growth forests will be exported annually (Denholm 2007b). Although Gunns cut the majority of Tasmania’s 170 forest harvesting businesses’ long-term woodchip contracts by over 40 percent last year (Neales 2006a; Neales 2006b; Smith 2006), the company’s annual net profit for the 2006-2007 financial year was \$75 million (GunnsLtd. 2007:4). Over the last decade, Forestry Tasmania and the forestry industry have received at least \$326 million in federal and state based taxpayer funded subsidies through the

Tasmanian RFA and CFA financial packages alone (CoA/TasGovt 2002; CoA/TasGovt 2007b).

Taken together, these factors suggest a markedly different construction in relation to the jobs vs forests argument. A different picture begins to emerge which has little to do with conflict between loggers and greenies, but rather to do with local jobs, taxpayers' dollars and publicly owned native forests being utilised by Forestry Tasmania, identified by one analyst as "a profitless wood supply service" (Ajani 2007a:287), and Gunns in order to maximise profits for the largest and wealthiest corporation on the island, predominantly through the export of massive woodchip volumes. As Flanagan has graphically described it:

There is in all this a constant theme: the Lennon government's and Gunns' real mates are not workers, but millionaires. Behind the smokescreen of statistics, beyond the down-home cant of 'timber folk' peddled by the woodchippers' propagandists, past the endless lies, is a simple, wretched truth: great areas of Australia's remnant wild lands are being reduced to a landscape of battlefields, in order to make a handful of very rich people even richer (Flanagan 2007).

Ajani has illuminated this theme within a national context, arguing that the debate over Australia's forests has been deliberately constructed in a way that ignores the existence of the plantation sector, which produces 80 percent of the nation's manufactured wood products and generates the majority of employment within the forestry sector. This problematic nature of the official paradigm is further reinforced in Prime Minister Keating's 1995 statement, *The Future of Our Forests* (Keating 1995a): "clever word-crafting positioned 'forests' to mean native forests, and therefore not plantations. From there Australia's 'forest' conflict was narrowly framed as a native forest versus conservation battle. Australia's plantation processing story remained silenced" (Ajani 2007a:181). Brown highlights this largely unnoticed shift in the entire framework of the debate: "nowhere does the 1992 Statement say that native forests *must* be logged. The policy problem lay in continuing assumptions that native forests *can* be logged; and that therefore they *should* be logged - irrespective of either conservation imperatives, or the availability of alternative timber resources in the form of plantations" (2001:10). By ignoring the sector that "can

meet virtually all of Australia's wood needs and support significant exporting of processed wood products" (Ajani 2007b) and limiting the debate to one concerned solely with native forests, politicians have "failed to grasp the very real opportunity for resolving the forest conflict in an economically and environmentally satisfying way" (Ajani 2007b). Democrats Senator Natasha Stott Despoja articulated this failure to include the plantation sector as an integral factor within the RFA process:

perhaps nothing emphasises the flawed nature of the RFA process and legislation as much as its failure to consider the largest forest resource, the only increasing forest resource, the largest sector of the industry and the generator of the most employment and the best prospective employment outcomes ... the native forest tail may be continuing to wag the forest industry dog, because many of major companies involved have interests in both sectors. Their political imperative has been to protect a highly subsidised and privileged access to a public resource, the native forests, ahead of using relatively unsubsidised or more directly or appropriately costed plantation resources (Stott Despoja 1999:7477)

Some commentators have raised concerns with the ways in which Tasmania's management of native forests is perceived on a global level: "why should Tasmania embarrass itself on the national, on the international stage, by destroying World Heritage values in a world that's losing its wilderness faster than ever before?" (respondent 3). This notion of Tasmania's standing on the 'world stage' has been explicitly connected to international and ethical responsibilities with regards to forestry practices in developing nations:

if, in a rich and democratic society like Tasmania, we can't turn the log-trucks back and get this place to be a centre of natural beauty for a world that is being rapidly depleted, who can? How can we ask Brazil, Cameroon, Korea? If we can do it here, then we can bring optimism to people working under much more difficult circumstances." (Senator Bob Brown, quoted in Shakespeare 2005:325).

Others have developed this argument further, particularly in relation to the concept of community perception:

the community expectations about the forests have moved much faster than the government has reacted ... we're now operating under much tighter rules and policies with constraints as to ... what's acceptable and I think that the government has not kept in pace with the community ... we want the forests now ... That's the way we're moving and that's the way the whole world is moving



and it disappoints me that Tasmania, which could be a leader in this, is seen increasingly internationally as someone that's fallen behind the community expectations and I think we're all sick of the debate, the war, in Tasmania. It's debilitating. Nobody enjoys it. Well, a few do, but they're idiots. There's always someone who likes a cause you know ... we shouldn't be causing the amount of polarisation that we're getting on issues. Every time there's an issue. The pulp mill is just the latest one, but there'll be others (respondent 4).

Forestry Tasmania's position, as stated by its General Manager, Bob Gordon, on the importance of community attitudes towards logging practices stands in marked opposition to this argument. He recently suggested that "Australians should end their hang-up with the logging of old growth. 'It assumes that there is somehow something wrong with harvesting old growth'" (Denholm 2007b:22).

As discussed, there have been a number of concerns, identified through an analysis of the RFA process and outcomes, that question the environmental credentials of current forestry practices in Tasmania. However, some policy reforms have been implemented. The most significant of these occurred in June this year. Forestry Tasmania and Gunns Ltd. announced that they would cease the practice of converting native forest to plantation. This reform received a positive reception. However, the motives behind the announcement were articulated by some as having little to do with a genuine attempt at achieving environmental sustainability, being primarily motivated by: "pressure from the markets ... it seems to have been driven by the banks and the equator principles, and by customers wanting a proper forestry standard to operate in Tasmania" (Tasmanian Greens leader Peg Putt, quoted in Hall 2007). In the same month, Australia was "accused by the United Nations of abrogating its responsibilities to Tasmania's World Heritage-listed forests" (Neales 2007) at the 31<sup>st</sup> session of the World Heritage Committee conference held in New Zealand, and it was recommended that an urgent delegation of scientific experts be sent to Tasmania to inspect forests in the south and north-east of the state.

The multiplicity of concerns highlighted in this project, particularly when reinforced, in part, by an international organisation such as the United Nations, would seem to suggest that some level of policy transformation or environmentally related reform is required. In Tasmania, the potential for such a transformation is limited by the “worrying concentration of people in public governance with forestry backgrounds” (Ajani 2007a:296) or as Greens Senator Christine Milne has framed the situation:

They move around in Tasmania quite happily. It is musical chairs. The music stops and they leave the government and go onto the board of Gunns or they go out of the Forest Industries Association straight into the chair of the Secretary of the Tasmanian Department of Infrastructure, Energy and Resources – and they bring their secretary with them straight into the Premier’s office or the minister’s office as an adviser and then move that person around. So you only have to pick up the phone once. There are no degrees of separation in Tasmania –pick up the phone once and you get them (Senate 2005:93)

This currency of this argument was further reinforced in September 2007 when Evan Rolley, General Manager of the Forestry Commission and, subsequently, Forestry Tasmania for a period of over 16 years, was appointed as head of the Department of Premier and Cabinet, the most powerful public service role on the island (Ogilvie 2007; Paine 2007).

Ex-Senator Shane Murphy is another to point to the need to “change the culture that’s in the industry at the moment and ensure that we get new players into the field” (De Blas 1999). The impetus behind this call for change has been directly linked to the importance of community expectations:

whether it’s right or wrong from ecological principles or in terms of optimising biodiversity or whatever, the social attitudes that the community puts on forests, at the end of the day, are the most important and that’s what we have to respond to ... So the way that we’re moving, but we’re moving too slowly, is to stop cutting down really big trees, to stop clearfelling our natural forests, to absolutely limit the amount of chemicals that are used and to be a lot more sympathetic and sensitive about where planted forests are put into the landscape ... there’s lots in the industry who think that, you know, you can continue to do these things because they can be justified ecologically and everything else, and to a certain extent they can be, but as I said, these are social decisions now (respondent 4).

One means by which some of these shifts could be accomplished would be to change the Forest Practices System from a self-regulated regime, relying on a large proportion of industry employees to regulate legislative and policy requirements, to a more transparent, accountable and participatory process. One respondent highlighted this potential shift, articulating a future vision for “a planning system which doesn’t have special deals for forestry, be it forestry companies or forestry operations or whether they pay rates or whether they have to abide by local planning schemes ... there would be one law across the board” (respondent 3). Hall has argued that a solid framework for such a system this already exists in the RMPS:

forestry proponents [would] be afforded the same natural justice and opportunity to present their case as every other participant. If the Tasmanian forest practices *are* world – class; if they do not jeopardise biodiversity, bush heritage, soil and water resources or cause harm to neighbouring land users; if the rate and manner of native forest harvesting is sustainable; and if conversion of agricultural land to broad scale plantations genuinely benefits rural communities; forestry will have nothing to fear from greater public accountability (2002:5).

One potential option for the future of Tasmania’s native forests can be found in the industry shift proposed by Ajani. Such a strategy would involve a shift from a native forest resource base that has been carefully constructed as being essential to job security within public and politically articulated discourses to a plantation dominated industry, which processes products onshore. However, this would require significant movement in federal and state politics and forest-related policies. This is not without precedent; such a shift has already been largely achieved in Queensland (Ajani 2007a; Brown 2001). Preliminary research has been instigated; an assessment of the volume and composition of Tasmania’s plantation resource has been conducted, and it has been argued that “proximate timing of this plantation resource is political gold for politicians who want to resolve Tasmania’s forest conflict” (Ajani 2007a:295).

## CONCLUSION

The Tasmanian RFA is *the* principal document governing the use and management of the island's publicly owned native forests. Drawing on a series of multiple discourses, policy initiatives and expert recommendations articulated on a local, national and global level, it set in place a framework for managing Tasmania's forests over a duration of 20 years. This research project has conducted a critical analysis of the various processes involved in the formulation of the Tasmanian RFA and has assessed the implications of these for the outcomes generated by the Agreement, with a particular emphasis on environment, community and governance processes. The study also addresses elements of the forest conflict, as manifested in a uniquely Tasmanian context, which has been identified as a fundamental issue that impacts upon every layer of the island's political, social, economic and cultural geographies.

The Tasmanian RFA process was conducted within what was intended to be a systematic, inclusive and integrated planning framework. However, it has been found that the scientific integrity of the process was compromised, largely due to a combination of poor planning and a series of bureaucratically generated amendments to recommendations proposed by expert scientific consultants. Additionally, the key decision making processes embedded within the RFA were, contrary to principles of solid democratic governance, consistently marked by a lack of transparency and accountability. The RFA has been unequivocally successful in alleviating the previously contentious debates between the Commonwealth and Tasmanian State Governments over natural resource management issues. However, it has comprehensively failed to achieve what was initially articulated as one of its *raisons d'être*, an alleviation of the continuous and divisive community-level conflict over the use of native forests. Although a number of environmental outcomes generated by the RFA have been perceived as exemplary in conserving biodiversity, particularly in relation to dry forests located on private land in the Midlands, critical concerns have been highlighted regarding the reservation of old growth and high

conservation value forests, the widespread clearing of native forests which resulted in a significant expansion of the plantation estate, and the substantial increase of woodchip exports resulting from the removal of export woodchip controls.

It was found that the Tasmanian forest debate has been predominantly constructed within a reductive and oppositional discursive framework, which has served to obfuscate a number of key elements and to transform what is a complex and intricate debate into a simplified argument characterised by polarity and conflict. The debate has been predominantly constructed, at a state and national level, around issues concerning native forests. The exclusion of the plantation sector from this debate has been identified as an issue of concern. An assessment of the Tasmanian Forest Practices System, particularly related to environmental issues and regulatory frameworks, highlighted a number of concerns regarding accountability, transparency and the skewed allocation of resources to various sectors within the system.

The debate over the use of publicly owned native forests continues to form an integral part of political, community-based and publicly articulated discourses in Tasmania. It is clear that current politics, policies, legislation and management systems governing the use of these forests have become an increasingly contested area of concern for a diversity of cohorts, including members of the Tasmanian and mainland communities, scientists, politicians, and international bodies, and that, despite some successes, the RFA has largely failed to provide the anticipated win-win solutions to Tasmania's forest conflict.

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# APPENDIX A

## Schedule of Interview Questions

1. What was your involvement, interest or role within the Tasmanian Regional Forest Agreement process?
2. What are your perceptions regarding the effectiveness of the Tasmanian RFA process in achieving environmental and economic sustainability?
3. One of the primary goals of the RFA process was articulated by both governments as a way of resolving the debate over the management of Australia's native forests. How effective do you think the Tasmanian RFA, and subsequent amendments to it, have been in achieving this objective?
4. What are your views on the importance of science within the Tasmanian RFA process?
5. What are your views on decision-making processes within the Tasmanian RFA process?
6. What are your views on the public participation processes within the Tasmanian RFA process?
7. What would be your personal vision for the future management of Tasmania's native forests?